

05/09/2012

PRESS RELEASE

Energy Company Settles Cases with 3 Part Time Workers

Three women have received £9,500 each in settlement of cases taken by them, with the assistance of the Equality Commission, alleging discrimination against their former employer, Topaz Energy Ltd.

Carol Ann Armstrong from Ballymena; Deirdre Cassidy from Derry and Kellie Quinn from Cookstown were all employed as part-time sales co-ordinators with Topaz Energy. Each of the three women worked part-time because of childcare responsibilities. In addition, Mrs Armstrong has a disability as a result of a stroke.

All three women were made redundant on 1 July 2011, following a decision by the company that it wanted their part-time positions to become full-time. The women were offered the opportunity to apply for full time positions but were unable to take them up because of their circumstances. They challenged their dismissal on the grounds of sex discrimination because they believed that in selecting only those employees who worked part-time, the company was indirectly discriminating against women with childcare commitments. Mrs Armstrong also brought a claim for disability discrimination because of the company's failure to consider a reasonable adjustment to allow her to work part-time.

In settling the cases Topaz Energy has paid £9,500 to each of the women, without admission of liability or of any breach of equality law. The company re-affirmed its commitment to the principle of equality of opportunity and undertook to review its policies, practices and procedures with the Equality Commission.

The three women have expressed their thanks to the Commission and added in an agreed statement: “We did not know each other before taking this case – each of us was very taken aback when we were just told we were going to be made redundant and when we consulted the Law Centre in Derry they referred us to the Equality Commission. We all felt that our employer had not given full consideration to arrangements that would allow us to continue to work, such as job sharing. We are pleased that this has been settled and that hopefully this will help ensure that the same thing does not happen to other people who can only work part time. It was stressful for us and our families, but it was worth doing.”

Eileen Lavery, Head of Legal, Policy and Research at the Equality Commission, said, “When considering changes to employment policies, employers should ensure that there are objective reasons, based on sound evidence, for any decision.

“Where the criteria for selection of staff for redundancy may put part-time workers at a particular disadvantage then this could raise concerns of gender discrimination, as such a large proportion of part-time workers are women.

“Particular care is also needed when considering redundancy criteria which may impact on disabled employees.

“We very much welcome that Topaz Energy has undertaken to work with the Equality Commission to review its policies, practices and procedures and have committed to implement any reasonable recommendations the Commission may make. The Company has also undertaken to provide training to all their staff on their obligations under equality law.”

The Equality Commission provides detailed advice to all employers on equality considerations concerning redundancies or any employment issue at www.equalityni.org or 028 90 500 600 for free and confidential advice.



Kellie Quinn



Deirdre Cassidy



Carol Ann Armstrong