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PRESS RELEASE

Teacher wins sex discrimination case

A schoolteacher, whose sex discrimination case was supported by the Equality Commission, has been awarded £5,000 by an Industrial Tribunal.

The Tribunal held that a requirement that Julie Muldrew, a teacher at Larne Grammar School, must relinquish her post as Year Head because she was working reduced hours; amounted to indirect sex discrimination.

It was the unanimous decision of the Tribunal that the claimant would have been able to discharge effectively the duties of Year Head on four days attendance at the school per week.

In their decision the Tribunal stated “*To exclude part-time workers from such positions, solely on the ground that service provision might sometimes fall short of the gold standard, or might sometimes involve flexibility from other workers, would be to reverse any progress in equal opportunities terms back to the 1950s*”

Anne McKernan, Head of Legal Services with the Equality Commission, said the decision highlighted the fact that employers had to exercise great care in implementing policies which might disadvantage people working reduced hours, or availing of other flexible working arrangements.

"In Northern Ireland 40% of female employees work part time compared to 7% of male employees and 85% of part time employees are women. Any measure which excludes such workers from a particular post is likely to have an adverse impact on women and may amount to indirect sex discrimination, if it cannot be justified. The more discriminatory the measure is, the more difficult it will be for the employer to show that it was justifiable.

Julie Muldrew said she was delighted that the tribunal had unanimously acknowledged the need for employers to give fair consideration to the needs of women working part-time. "Challenging this was a very difficult experience for me," Ms. Muldrew said, "but I feel that it has been worthwhile in achieving change, not just for myself, but for other part-time workers."

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