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## **PRESS RELEASE**

### **Equal pay success for Avoca baristas supported by Equality Commission**

Two women working at Avoca's Arthur Street Café in Belfast have won an equal pay claim taken with the support of the Equality Commission against their employer, Avoca Handweavers (NI) Ltd.

Paulina Paczkowska and Agnieszka Anna Golygowska both worked as floor staff- cum- baristas in the Avoca Café. While they had been doing the same work as a male colleague since May 2013, the male colleague had always received a significantly higher rate of pay. By 2015, Paulina was earning £6.79 per hour and Agnieszka £6.98 per hour, while their male colleague was earning £8.46.

Both women took grievances within the company in 2015, citing the disparity between their pay and that of their male colleague. When these grievances were dismissed, they lodged claims with the Tribunal and their trade union, SIPTU, referred them to the Equality Commission for help.

Avoca conceded that it did not have a structured pay scheme within the business. The firm also admitted that the three employees were all doing like work and accepted that there was a disparity in pay between the man and the women but claimed that material factors other than the sex of the staff were the reason for the disparity.

The Tribunal ruled that the factors cited by Avoca could not explain the difference in the pay rates. The Tribunal stated "There was not any evidence from 2013 onwards that there was a risk that [the male staff member] would leave or that the respondent was having difficulties retaining strong baristas or that the claimants were not competent baristas or that the respondent could not afford to pay the complainants a comparable rate of pay."

The Tribunal accordingly ruled that the two women had succeeded in their claim and are entitled to equal pay to that paid to their male colleague from May 2013.

Dr Evelyn Collins, Chief Executive of the Equality Commission, said the case highlighted the clear legal protection afforded by the law. “The law governing equal pay can seem complex, but its essence is very simple –men and women doing equal work for the same employer should get the same reward for it. In this case, while the Avoca Café advanced a variety of different reasons for the disparity in pay, none stood up to analysis and the Tribunal was not satisfied that any of the reasons were genuine.

“The women concerned will benefit from the courage they have shown in challenging their treatment in this case. The company too, and all employers, can learn from this decision and others like it.” Dr Collins said. “The Equality Commission provides advice on the issue to employers and has published a Code of Practice on Equal Pay, with guidance on the scope of the law and on concepts such as definitions of like work, work rated as equivalent and work of equal value. The Code recommends that employers regularly review and monitor their pay practices, in consultation with their workforce, to ensure that their pay system delivers equal pay.”

The amount of the compensation to be paid to each of the women is to be calculated and, if not agreed between the parties, the case will return to the tribunal for a further hearing on a date yet to be arranged.

- [Full decision online](#) *(pdf)*
- Read the [Equality Commission's Code of Practice on Equal Pay](#) *(pdf)*