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Former sales manager settles age discrimination case for £75k

Seamus Gillespie, a 60-year-old, sales manager has settled his age discrimination case against his former employer WD Irwin and Sons Ltd for £75,000. The case was supported by the Equality Commission for Northern Ireland and was settled without admission of liability by the company.

Mr Gillespie, from Co. Fermanagh, worked for the well-known bakery since 1991. He alleged that he was told in early 2021 that the company was looking for younger professional people from a blue-chip background in the context of recruitment for new staff. He believes this was because the company thought the age profile of staff within the business was a problem.

Mr Gillespie also alleged that he was informed that he would lose some accounts when a vacant post of 'Business Unit Controller' was to be filled. He believed that this resulted in him losing a significant proportion of his work. He felt his role was diminished and that he was left in a vulnerable position for possible future redundancy.

In August 2022, Mr Gillespie was informed of a project involving changes in distribution. He believed that he should have been included in the relevant discussions because it impacted upon his work.

Mr Gillespie was advised in September 2022 that his post was at risk of redundancy. He was placed in a redundancy pool of one. During subsequent redundancy meetings, he claims that comments were made regarding the need to get some new blood and of the age profile of the senior management team being all of one ilk and age. Mr Gillespie was made redundant, and his appeal was not upheld.

Mr Gillespie said: "I worked for Irwins for over 30 years. I enjoyed my job, I was a dedicated, hardworking and loyal employee, with lots of experience. But it was very clear to me, following discussions with management, that my career with the company was over. I firmly believed the decision to make me redundant was based solely on my age. I had no choice but to challenge how I was treated. I'm glad my case is now settled, although I would rather that none of this had happened in the first place."

Geraldine McGahey, Chief Commissioner, Equality Commission for Northern Ireland said: "Seamus gave 30 years of his working life to Irwin's Bakery and still had a lot to offer. He felt that his age was a problem for his employer and believes that was why he was made redundant.

“In Northern Ireland it is unlawful to discriminate against employees because of their age. Older workers have experience, skills and attributes that our economy needs to thrive, they are assets to their employers just like every other employee. It is imperative that employers have robust policies and practices in place to prevent any potential instances of age discrimination and that staff are adequately trained to use them,” concluded Ms McGahey.

In setting the case, WD Irwin and Sons Ltd denied any liability and reaffirmed its strong commitment to the principle of equality of opportunity in employment and to ensuring that they comply in all respects with their obligations under equality law. They agreed to liaise with the Equality Commission to review policies, practices and procedures and their application to ensure that they are effective and conform with the requirements of the Employment Equality Age Regulations (NI) 2006. The case was settled without admission of liability.