



NICS Equal Pay

nipsa
Protecting Public Services
Supporting Public Servants

NICS Equal Pay

Equal Pay Act (NI) 1970

- Identify comparator (actual)
- Work rated as equivalent (job evaluation)
- Work of equal value – demands of Job
- Taint of sex discrimination

NIPSA Equal Pay Claims

- Lodged February 2009 – female members
- Administrative Assistant, Administrative Officer, Executive Officer II and related grades
- Comparator grades – TGII, TGI and PTO

NICS Equal Pay

Comparative Pay Scales 2002-2008

*2002 and 2003			
AA		TGII	
Max	12,844		
8	12,557	Max	16,491
7	12,277	7	16,007
6	12,004	6	15,524
5	11,736	5	15,045
4	11,474	4	14,568
3	11,219	3	14,082
2	10,968	2	13,601
1	10,604	1	12,801
Min	10,251	Min	12,001

2004			
AA		TGII	
Max	13,101	Max	16,821
8	12,808	8	16,327
7	12,523	7	15,834
6	12,244	6	15,346
5	11,971	5	14,859
4	11,703	4	14,364
3	11,443	3	13,873
2	11,187	2	13,057
Min 1	10,816	Min 1	12,241

2005			
AA		TGII	
Max	13,453	Max	17,273
8	13,127	8	16,855
7	12,834	7	16,360
6	12,548	6	15,866
5	12,268	5	15,377
4	11,995	4	14,889
3	11,726	3	14,393
2	11,466	2	13,901
Min 1	11,209	Min 1	13,083

2006			
AA		TGII	
		Max	17,359
Max	13,723	7	16,938
6	13,561	6	16,517
5	13,319	5	16,096
4	13,076	4	15,464
3	12,833	3	14,833
2	12,510	2	13,991
1	12,106	1	13,148

2007			
AA		TGII	
		Max	17,446
		7	17,023
Max	13,997	6	16,600
5	13,808	5	16,176
4	13,525	4	15,542
3	13,241	3	14,907
2	12,917	2	14,061
1	12,520	1	13,214

2008			
AA		TGII	
		Max	17,533
		7	17,108
		6	16,682
Max	14,420	5	16,257
4	14,201	4	15,619
3	13,872	3	14,981
2	13,493	2	14,131
1	13,130	1	13,280

* 2002 and 2003 same scales both years

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Comparative Pay Scales 2002-2008

*2002 and 2003			
AO		TGI	
Max	15,383	Max	20,863
8	15,040	8	20,260
7	14,704	7	19,672
6	14,216	6	19,102
5	13,742	5	18,549
4	13,286	4	18,011
3	12,699	3	17,149
2	12,004	2	16,328
1	11,345	1	15,524
Min	10,723	Min	14,725

2004			
AO		TGI #	
		Max	21,280
		10	20,665
Max	15,691	9	20,065
8	15,341	8	19,484
7	14,998	7	18,920
6	14,500	6	18,371
5	14,017	5	17,492
4	13,552	4	16,655
3	12,953	3	15,834
2	12,244	2	15,020
Min 1	11,572	Min 1	14,202

2005			
AO		TGI	
		Max	21,851
		10	21,323
Max	16,112	9	20,706
8	15,722	8	20,105
7	15,372	7	19,523
6	15,028	6	18,958
5	14,529	5	18,408
4	14,045	4	17,527
3	13,579	3	16,688
2	12,979	2	15,866
Min 1	12,268	Min 1	15,050

2006			
AO		TGI	
		Max	21,960
		10	21,618
		9	21,277
		8	20,593
Max	16,435	7	19,910
6	16,116	6	19,226
5	15,639	5	18,543
4	15,161	4	17,859
3	14,683	3	17,176
2	14,046	2	16,150
1	13,050	1	15,125

2007			
AO		TGI	
		Max	22,070
		10	21,727
		9	21,383
		8	20,696
		7	20,009
Max	16,764	6	19,322
5	16,412	5	18,635
4	15,885	4	17,949
3	15,358	3	17,262
2	14,731	2	16,231
1	14,060	1	15,201

2008			
AO		TGI	
		Max	22,180
		10	21,835
		9	21,490
		8	20,799
		7	20,109
		6	19,419
Max	17,099	5	18,728
4	16,714	4	18,038
3	16,136	3	17,348
2	15,539	2	16,312
1	14,890	1	15,277

* 2002 and 2003 same scales both years

NICS Equal Pay

Negotiated Terms of Settlement – 2009

- Effective date - 1 February 2009
- Applied to staff working in an NICS department with 2 years qualifying service (reckonable service)
- Paid in full to those who left service on or after 1 August 2008
- Males benefit under “Piggy Back” Arrangements

Equal pay claims - Jurisdiction of Industrial Tribunal.

Claims must be lodged within 6 months of leaving service.

NICS Equal Pay

Administrative Assistants and Analogous Grades Assimilation Arrangements

Revised Pay Scale 1/02/09	Period of Reckonable Service in AA or Analogous Grade at 1 February 2009
13,280	less than one year service in the substantive grade and below the maxima
14,131	From 1 year to less than 3 years service in the substantive grade and below the maxima
14,981	From 3 years to less than 5 years service in the substantive grade and below the maxima
15,619	From 5 years to less than 6 years service in the substantive grade and below the maxima
16,257	6 years service or more in the substantive grade and below the maxima
16,682	Staff on the maxima with less than 6 years service in the substantive grade
17,108	Staff on the maxima with 6 or more years service in the substantive grade
17,533	

NICS Equal Pay

Administrative Assistants and Analogous Grades Assimilation Arrangements

Revised Pay Scale 1/02/09	Period of Reckonable Service in AO or Analogous Grade at 1 February 2009
1/02/09	Period of Reckonable Service in AO or Analogous Grade at 1 February 2009
15,277	less than one year service in substantive grade and below the maxima
16,312	From 1 year to less than 3 years service in the substantive grade and below the maxima
17,348	From 3 years to less than 5 years service in the substantive grade and below the maxima
18,038	From 5 years to less than 6 years service in the substantive grade and below the maxima
18,728	6 years service or more in the grade and below the maxima
19,419	Staff on the maxima with less than 6 years service in the substantive grade
20,109	Staff on the maxima with 6 or more years service in the substantive grade
20,799	
21,490	
21,835	
22,180	

NICS Equal Pay

6 Years Back Pay Lump Sum Payments

Grades AA and analogous

Less than 1 year	1 or more but less than 2 years	2 or more but less than 3 years	3 or more but less than 4 years	4 or more but less than 5 years	5 or more but less than 6 years	6 years or more
105	770	2,660	4,200	6,300	8,400	9,993

Grades AO and analogous

Less than 1 year	1 or more but less than 2 years	2 or more but less than 3 years	3 or more but less than 4 years	4 or more but less than 5 years	5 or more but less than 6 years	6 years or more
280	1,488	4,130	5,723	8,750	11,585	13,965

NICS Equal Pay

AA/AO



TGII/TGI



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Protecting Public Services
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NICS Equal Pay

2012 Abdulla –vs- Birmingham City Council

- Resisted in County Court – Appeals to High Court and Supreme Court
- Final appeal (Supreme Court) ruled in favour of Plaintiffs - October 2012
- In addition to jurisdiction of an Industrial Tribunal (6 month time limit) equal pay claims can now also be pursued in the nature of a breach of contract in the Civil Courts under the normal 6 year statute-bar limitation

NICS Equal Pay

Action Taken By NIPSA

- February 2012 – trawl of NIPSA records to identify former female members who had left NICS with 2 years qualifying service
- Wrote to those identified and requested information - pro-forma to be returned by 14 March 2012
- Validation of data – Legal advice obtained and majority of writs served July 2012
- Further legal advice obtained – “**piggy back**” arrangements for male leavers
- Writs for former male members served December 2012

NICS Equal Pay

Pensions – Superannuation Branch Responsibility

- Recalculation of lump sum (for those currently in receipt of pension)
- Payment of pension arrears back to date of leaving service
(for those currently in receipt of pension)
- The recalculation of future pension entitlement from date of signing a
Compromise Agreement
(or the date on which pension is payable in respect of deferred pensions)

NICS Equal Pay

Obstacles faced during the negotiations:

- Uncertainty about the prospect of success, even for the AAs and AOs.
- Threats and warnings about the availability of money from the Government to pay the settlements and about the effect which any increase in pay would have on continued levels of employment during the recession.
- A threat that no settlement could be reached in advance of a review by management of the comparator grades.
- The reality that while the arrears of pay would be met on a one-off basis with money provided by Central Government, the ongoing annual increased pay bill as a result of the new higher salaries would have to be met out a reducing budget by each department.