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Equal Pay Act [1]

The Equal Pay Act has also been replaced through the Equality Act 2010. However the law has not significantly changed and provides for the equal treatment of men and women in the work place.

Equal Pay Legislation sets out that men and women employed to do the same or similar work must not only receive the same pay but also be subject to the same terms of work such as holidays, sick pay and bonuses etc. The former is self - explanatory and includes work that is of a broadly similar nature with any differences being of no practical importance.

Making a Claim

If you, as an employee, feel that you are being treated differently in relation to your pay or your terms of employment, you could pursue a claim in an Employment Tribunal.

To pursue a claim you must show that:

- Your comparison is with an employee of the opposite sex
- That employee is a predecessor or current employee
- That employee works or has worked in the same employment
- That employee is actual not hypothetical
- That employee was treated more favourably than you in relation to terms or salary

The claim must be made at the relevant time during employment or within 6 months minus one day of leaving the job. The claim can be backdated, for technical reasons, to 1976.

A defence is available to your employer if it can show that the differential in benefits is due to a material factor other than a discriminatory one.

It is recommended that before making a claim you consider lodging a grievance with your employer in order to comply with the ACAS Code of Practice.

If you feel you are being treated unfairly contact us [2] online or call our team on 0121 746 3360 today for further advice.

Links

[1] https://www.sydneymitchell.co.uk/services-individuals/employment-law/discrimination/equal-pay-act
[2] https://www.sydneymitchell.co.uk/contact