

33. SINGLE STATUS - EQUAL PAY CASES

The Council Executive considered a report (copies of which had been circulated) by the Depute Chief Executive (Corporate, Operational and Housing Services) advising of the position in relation to equal pay cases raised against the council covering the period before the council's implementation of the Single Status Agreement on 1<sup>st</sup> October 2007 and to seek approval to settle some of those cases through negotiation with claimant's solicitors.

The Depute Chief Executive advised that before and after the council implemented its new pay and grading structure on 1<sup>st</sup> October 2007 a number of employees raised Employment Tribunal proceedings for equal pay. These cases had been managed through the tribunal process in two separate batches – for claims covering the period before implementation and those for the period after implementation. The claims against the council fell into two categories of equal pay claims – “equal value” (EV) and “work rated as equivalent” (RAE).

In April 2011 the Council Executive granted authority to officers to proceed to settle a tranche of cases which were being managed through the tribunal process as RAE. That process had been managed successfully and all those cases had been or would be settled within the financial parameters notified to committee. The Tribunal had now made fresh orders for the management of the remaining cases and the end result would be the fixing of a Preliminary Hearing in April or May 2012 to determine a preliminary legal matter which would have a bearing on the council's ability to continue to resist these claims.

The issue to be considered was whether there were cases which should now be regarded as RAE cases even though they had been classified and managed until now as EV cases. If they were re-classified by the Tribunal as RAE then they should be settled on the same basis as other pre-implementation RAE cases that had already been settled.

The Depute Chief Executive continued to provide information on the number of cases involved that remained to be settled by the council.

It was recommended that the Council Executive :-

1. Note the present position in relation to equal pay claims raised against the council covering the period prior to implementation of the Single Status agreement on 1<sup>st</sup> October 2007;
2. Agree that the council should proceed to negotiate settlement of certain cases which should now be regarded as “work rated as equivalent” relating to the period before implementation of Single Status on 1<sup>st</sup> October 2007; and
3. Delegate to the Depute Chief Executive authority to negotiate and conclude a settlement in the best possible terms in relation to those cases.

DATA LABEL: Public

Decision

To approve the terms of the report.