

BURY UNISON

Branch Newsletter

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Edited by UNISON North West Region

February 2008

Equal Pay - Update

UNISON is working hard to ensure all our members get fair treatment and equal pay at work.

Major overhauls of pay and conditions packages across our public services have brought the issues of pay inequality to the fore.

UNISON has developed an equal pay strategy to challenge pay discrimination through a combination of negotiation and legal challenge where necessary.

New arrangements should ensure equal treatment in future but many members could be entitled to back pay for past loss of earnings.

UNISON and the Fawcett Society recently declared 30 October 2007 'Women's No Pay Day'. Official figures show a 17% hourly pay gap between women and men working full time. On the average salary of £23,600, this equates to women losing out on around £4,000 a year. Put another way, the pay gap between men and women working full

time is equivalent to women working for nothing from 30 October to year end. Unions believe that any gender pay gap is unacceptable. UNISON, comprising over a million women workers, has always fought to eradicate pay disparities between the sexes.

Just as the reasons underlying the divergence between men's and women's pay are multi-layered - including differences in education, training, family responsibilities and gender segregation - so UNISON recognises that tackling unequal pay requires an arsenal of approaches including collective bargaining, tribunal claims and legislation to tackle unequal and low pay.

The lack of action by most employers to reform

pay systems has led to an explosion of equal pay litigation. The number of equal pay tribunal claims increased from 590 in 1997 to 17,628 in 2006. One in four of all new tribunal

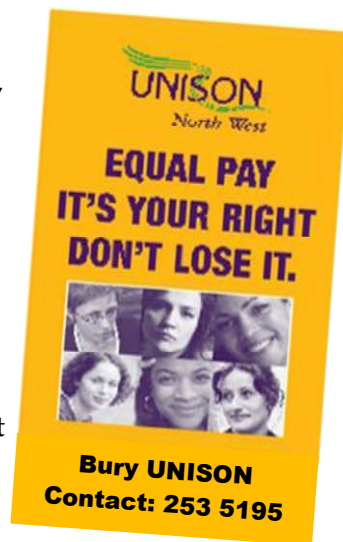
claims is an equal pay claim. Most of these are multiple claims relating to the same issues being brought against a relatively small number of public sector employers who are attempting to implement non-discriminatory pay systems.

Private sector employers who traditionally operate more opaque pay systems face a lower risk of litigation. It is UNISON's experience that many members working in the private sector are unaware of pay inequalities given the secrecy which attends pay and reward strategies in many employers beyond the public sector.

Local Government

The Local Government Single Status Agreement was concluded in 1997. To date, despite the local government unions' best efforts, only 42% of authorities have implemented new pay and grading systems. The principal reason for delay has been cost. Local authorities have to find the cost of not only of any new pay system but up to 6 years' back pay for women who have experienced pay discrimination. The possibility of claiming up to 6 years' back pay first arose in 1999 following a decision of the European Court of Justice.

The Government did not fund the costs of introducing single status in local government. This was in contrast to the resources allowed by central government to meet the costs of implementing Agenda for Change in the National Health Service. In September 2007, the Local Government Minister, John Healey announced £0.5 billion of capitalisation for 46 local authorities in England to fund single status. UNISON welcomed this announcement.



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However, this funding needs to continue in future years to assist the remaining councils to implement single status without having to make cuts to vital local services or to the pay and conditions of local government staff. The lack of progress by some councils has led UNISON to lodge mass equal pay claims on behalf of women working in local government. To date the union has lodged claims against nearly 100 councils for nearly 20,000 women members. This litigation is likely to take years - if not decades - to be concluded.



Pay: A fair deal for public service workers

Town hall unions including UNISON, GMB and TGWU-Unite have agreed a pay claim for this year that would give more than one million local government workers in England, Northern Ireland and Wales a payrise of 6% or 50p an hour - whichever is the greater.

The claim would take the wages of the lowest paid workers up to £6.50 an hour - a step towards the £6.75 that poverty experts say is the minimum needed to live on.

Unions said it was intended to be a 'catch up and match up' claim, to recoup losses from below-inflation pay awards since 2004 and to keep up with inflation over the coming year.

Heather Wakefield, UNISON's national secretary for local government, said: "Despite the headline figure, this is a modest claim.

"No-one could argue that an increase of 50p an hour fuels inflation. Over the past three years local government workers' pay has increased by less than the rate of inflation, so we are starting from a low base. We need to make sure that they catch up with the rest of the public sector and that they are cushioned against inflation over the coming year.

She added: "The government's 2% limit is just not on. It is half the rate of inflation and represents a real pay cut for loyal, hard-working public-sector workers, two-thirds of whom are women.

"They are struggling to make ends meet with the ever-increasing spiral of housing and fuel price rises."

The claim covers all grades of workers in local government, including refuse collection, school meals, social workers, administrators, cleaners, teaching assistants, parks and leisure workers and librarians.

Equal Pay in Bury -Your Questions Answered

Q. How is the Equal Pay Claim progressing in Bury?

A. Equal pay claims have been lodged with the Employment Tribunal Service and are progressing through the various pre trial hearings on their way to a scheduled full court hearing in the summer. This is being handled by a specially formed team, based in UNISON North West Regional Office in Manchester, who are in turn instructing a national firm of solicitors, Thompson's, to act on behalf of over 1,400 UNISON members working for Bury MBC.

Q. It is at least a year since it started, & various reports in the papers suggest it could take a long time. If this is true WHY? UNISON is a big union & used to dealing with a lot of people. I, like others, have paid union subs for years & we wonder why the union seems to be dragging their feet.

A. The fact that UNISON has had to resort to the legal system, which by its very nature tends

to be a protracted way of resolving industrial disputes, is regrettable. But this was entirely the choice of the council "the employer", not your Trade Union. We have made every effort to consult negotiate and generally create the situation where your employer could if they had wanted to, made a settlement offer. They have chosen to prevaricate rather than confront the issue. We have used the resources available to us, via your union subs, to fund what is a massively expensive legal fight for both sides. But UNISON has taken every opportunity to try to persuade Bury MBC of the need for a speedy settlement.

Q. The longer it goes on the more money the lawyers make surely? It doesn't help to know that many other councils nearby(Manchester, Bolton & Salford) have at least offered their employees money some of into the thousands-what an insult that Bury have offered nothing!

A. We have used the resources available to us, precisely because you pay your union subs, to



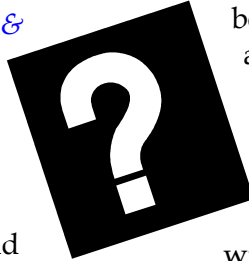
fund what could prove to be a massively expensive legal fight. The council has chosen to defend that action even though, we believe that it will ultimately cost them the settlement figure and their legal costs.

Q. Could the union not put pressure on them & remind them that Manchester & Salford councils operate in densely populated areas & yet have had no problem sorting out all their employees?

A. We have enlisted the support of both Bury MPs who have both written to and canvassed the Chief Executive of Bury MBC to put the case for settlement, but to no avail. The situation with both Salford & Manchester councils is also not as black & white as people think. UNISON is also taking legal action on behalf of members in both of those councils.

Q. We've been told that the government offered to lend Bury Council the money to pay the women.

A. This is not correct. The government was approached by Bury for permission to raise money, via loans from financial institutions or the receipts from the sale of assets. The money generated was to be used to meet the cost of a



settlement. This was over twelve months after other councils had asked, they were granted this request but to date do not seem to have raised any money and the permissions run out at April this year. Again the rationale behind this is not being shared with UNISON and we are at a loss as to why they have let the opportunity to settle slip away.

Q. What about those members who will be losing Bonus payments from April 2008?

A. UNISON are having extensive talks with management on behalf of those staff affected. At this stage we are considering all our options very carefully over managements failure to implement the Single Status agreement.

Q. What advice do you give for those staff affected?

A. UNISON are faced with an employer who steadfastly refuses to engage in a constructive dialogue with the representatives of its employees. We advise that people affected write to the Chief Executive of Bury MBC and place the blame at this door, firmly where it belongs.

What Happens Next?

1. All of the job categories of each lead case and the names of the claimants in each job category to be set out by 18th February 2008.

2. The Respondent (Bury Council) is to provide factor scores for each Claimant and comparator by 3rd March 2008.

3. The Respondent is to provide a gender breakdown of the workforce between May 2001 and May 2007 by 10th March 2008.

4. We are to nominate 2 agreed comparators for each job category and provide schedules stating which members are pursuing rated as equivalent claims and equal value claims by 31st March 2008.

5. The Respondent is to produce a Schedule of Claimants employed in Schools stating who the correct employer is by 3rd March 2008.

6. The Respondent is to set out their Genuine Material Factor (GMF) defence by 2nd June 2008 and a GMF Hearing has been pencilled in for 5 days from 22nd September 2008.

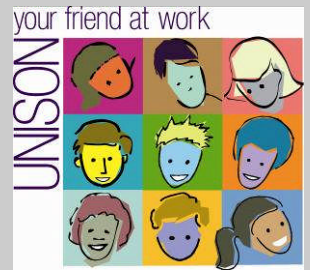
7. A further CMD has been listed to take place on 16th June 2008.

Any other claims that are lodged after 31st January 2008 maybe considered within this multiple providing they fall within one of the job categories that have already been lodged.

The Respondent has also agreed to provide comparator information including pay details and bonuses for red book comparators by 31st March 2008. We can then choose which red book comparators we nominate.

Following the categorisation of the Claimants we will work on picking Lead Claimants and comparators.

UNISON aims to achieve equal pay for all our members. Our goal is to negotiate fair pay and grading systems that guarantee equal treatment. But where employers won't negotiate, we are prepared to take legal action. Some of our members are being approached by no-win, no-fee lawyers, but if you need to make a legal claim, there's no-one better placed to represent you than UNISON.



If you are not currently a member of UNISON and wish to join, please complete the following application form and return to the address shown below.

Please fill in this application form in BLOCK CAPITALS and send it to the address shown below.

1. YOUR PERSONAL DETAILS

Mr/Ms/Miss/Mrs/Other	First Name	Other Initial										
Surname		Date of Birth / /										
Home address												
Postcode	Home											
National Insurance No. (from your payslip)												
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How would you describe your ethnic origin?

- | | | |
|--------------------------------------|--|--------------------------------------|
| <input type="checkbox"/> Bangladeshi | <input type="checkbox"/> Asian Other | <input type="checkbox"/> Black Other |
| <input type="checkbox"/> Chinese | <input type="checkbox"/> Black African | <input type="checkbox"/> White UK |
| <input type="checkbox"/> Indian | <input type="checkbox"/> Black Caribbean | <input type="checkbox"/> Irish |
| <input type="checkbox"/> Pakistani | <input type="checkbox"/> Black UK | <input type="checkbox"/> White Other |

Please tick this box if you require materials in a different format (e.g. large print or Braille) - be sure to supply contact details below

Please give a telephone number/voice/text/email address for UNISON to contact you - indicate if work or home

2. YOUR EMPLOYMENT DETAILS

Employers Name
Job Title/Occupation
Department/Section
Workplace Address
Postcode
Payroll No.

**When completed please send to:
UNISON Bury LG Branch
17 Knowsley Street,
Bury, Lancashire,
BL9 0ST**

3. WHAT YOU WILL PAY FROM 1 OCTOBER 2003

Please tick your earnings before stoppages

Weekly Pay	Annual Pay	✓	Band	Per Week	Per Month
Up to £38.47	Up to £2,000	<input type="checkbox"/>	A	£0.30	£1.30
£38.48-£96.16	£2,001-£5,000	<input type="checkbox"/>	B	£0.81	£3.50
£96.17-£153.84	£5,001-£8,000	<input type="checkbox"/>	C	£1.22	£5.30
£153.85-£211.53	£8,001-£11,000	<input type="checkbox"/>	D	£1.52	£6.60
£211.54-£269.23	£11,001-£14,000	<input type="checkbox"/>	E	£1.81	£7.85
£269.24-£326.92	£14,001-£17,000	<input type="checkbox"/>	F	£2.24	£9.70
£326.93-£384.61	£17,001-£20,000	<input type="checkbox"/>	G	£2.65	£11.50
£384.62-£480.76	£20,001-£25,000	<input type="checkbox"/>	H	£3.23	£14.00
£480.77-£576.92	£25,000-£30,000	<input type="checkbox"/>	I	£3.98	£17.25
£576.93-£673.08	£30,001-£35,000	<input type="checkbox"/>	J	£4.68	£20.30
£673.08 +	Over £35,000	<input type="checkbox"/>	K	£5.19	£22.50

Please tick the appropriate box to indicate how often you are paid

Weekly
 Fortnightly
 Four Weekly
 Monthly

Please tick this box if you are a student member in full-time education (including student nurses or modern Apprentices). Your subscription is £10 per year.

4. POLITICAL FUND

UNISON'S **Affiliated Political Fund (APF)** is used to campaign for and promote UNISON policy and the need for quality public services within the Labour Party, locally and nationally, in Parliament and Europe. UNISON APF affiliates to the Labour Party.

UNISON'S **General Political Fund (GPF)** is used to pay for campaigning at branch, regional and national levels of the union and for research and lobbying in Parliament and Europe. It is independent of support for any political party.

It is important that you indicate a choice of fund by ticking one of the boxes below. Your subscription shown above includes a political fund payment so you do not pay any more by being in one of the funds.

5. YOUR AUTHORISATION

- I wish to join UNISON and accept its rules and constitution.
- I authorise deduction of UNISON subscriptions from my salary/wages at the rate determined by UNISON in accordance with its rules to be paid over to them on my behalf and I authorise my employer to provide to UNISON information to keep my records up to date.
- I authorise deduction of the following political fund payment as part of my subscriptions: *Tick one box only*

Affiliated Political Fund

General Political Fund

Now please sign and date below.

Signature

Date

If you have been a member of a trade union before, please state which one below:

DATA PROTECTION
UNISON will process your membership information together with other information for administration, statistical analysis, conducting ballots and other statutory requirement purposes. We may also send you newsletters, journals and surveys and let you know about educational and campaigning matters. We will disclose your information to our service providers and agents for these purposes.

If you do not want to receive any mailings from UNISON besides those required by statute as shown in bold above, please tick this box.

We may share your information with organisations with whom we have a business relationship for your benefit. We, or they may contact you by mail, telephone, SMS, fax or e-mail to let you know about goods, services or promotions which we think may be of interest to you.

If you do not wish to receive such information please tick this box.

If you tick either of these boxes then you will be removed from the appropriate mailing lists as quickly as possible but for administrative reasons this may take a couple of months.