

Garda Equal Pay Case

1. In July 2000, the CPSU lodged a complaint on behalf of seven female Clerical Officers, who were working in the Garda Area, with the Equality Tribunal seeking equal pay with named male Garda comparators who were assigned to clerical administrative functions. In November 2005, the Equality Officer ruled in favour of the claimants, accepting that they were doing 'like work' with the named male comparators and were therefore entitled to receive equal pay.
2. On foot of this Decision, the union decided to lodge follow-on claims on behalf of female members in (a) the Garda area that were doing 'like work' with male Garda comparators and (b) all other Civil Service Departments/Offices. Members were invited to fill in complaint forms and, up to the end of September 2006, the union received and lodged over 7,000 complaints on behalf of female CO and SO members with the Equality Tribunal. While these claims were lodged, the Equality Tribunal will not hear the complaints until there is an outcome to the appeal of the original seven complaints.
3. The employer appealed the Equality Officers Decision to the Labour Court on a point of law. Following a number of hearings, the Labour Court issued a Decision in 2007, upholding the employers appeal and overturning the Equality Officers Decision. The only avenue then open to the union was to appeal the Labour Court Decision to the High Court on a point of law and this was done. In order to assist the High Court in making a decision on the union appeal, the Judge referred a number of questions to the Court of Justice of the European Union (CJEU) for clarification.
4. A full hearing on the referred questions took place in the CJEU in Luxembourg in July 2012 and the judgement was delivered on the 28th February 2013. At a hearing in the High Court on the 13th January 2014, the Judge, having regard to the clarifications from the CJEU, decided to refer the case back to the Labour Court for rehearing.
5. The union are again inviting members who want to be part of this case, to complete the claim form overleaf and return it to the undersigned in Head Office. However members should note that:-
 - no further claims can be lodged with the Equality Tribunal until valid comparators are identified by the union and can be assigned to the individual claims.
 - If you have already completed a complaint form, **you do not need to complete another form.**
 - Members are asked to attach a copy of your current payslip.

All queries should be sent by email to sreid@cpsu.ie (Sandra Reid) and they will be dealt with in due course. Please complete the complaint form overleaf and return it to the undersigned.

Yours sincerely,



Theresa Dwyer
Assistant General Secretary

Workplace Relations Complaint Form

Garda Equal Pay Case

A RED ASTERISK (*) SIGNIFIES A MANDATORY FIELD

COMPLAINANT'S DETAILS

Title: *	Firstname: *	Surname: *
Complainant's Address: *		
Address 2:		
Address 3:		
Address 4:		
Contact Number:*	E-mail:*	
Fax Number:	Grade Held: *	
Nationality:	PPS No:*	

EMPLOYMENT DETAILS

Date of Commencement:	Date Employment ended (if applicable):
My Work Address: *	
Address 2:	
Address 3:	
Address 4:	

PAY DETAILS

Please select as appropriate: Hourly Weekly Fortnightly Monthly

Please complete: Gross: * Net: Weekly hours worked:

EMPLOYER'S DETAILS

Name/Company: *
Address 1:
Address 2:
Address 3:
Address 4:
Contact Number:

Contact Name:

Position Held:

Contact Number:

Email:

Fax Number:

Registered (PAYE) Number:

Is the head office address different from above?:

Yes

No

Don't know

Please enter the nearest Town/County to your place of employment

Town:

County:

Will you have a representative? (Trade Union Official, Solicitor, Trade Association etc.):

Yes

No

REPRESENTATIVE DETAILS

Name/Organisation: Civil Public and Services Union

Address 1: Adelaide House

Address 2: 19/20 Adelaide Road

Address 3: Dublin 2

Address 4:

Contact Name: Theresa Dwyer

Contact Number: 01 6765394

Email: tdwyer@cpsu.ie

Fax Number: 01 6762918

Do you wish for correspondence to be issued to your representative?:

Yes

No

Is the employer/respondent aware you are making this complaint?:

Yes

No

Please note that in all instances where a complaint is made to the Employment Appeals Tribunal, Rights Commissioner Service, Equality Tribunal & Labour Court, a copy of this form and all correspondence will be copied to, and exchanged between, the parties to the complaint.

Special Facilities

Do you require any special facilities when attending a hearing?:

Yes

No

If **YES**, please specify:

GENERAL COMPLAINT AREA

My complaint falls under:

DISCRIMINATION/EQUALITY

My complaint more specifically falls under:

I have not received equal pay

Complaint Specific Details

I did not receive equal pay because of my:

Gender Civil Status Family Status Sexual Orientation Religion Age

Disability Race Member of the Travelling Community

Please provide the name of the person with whom you are claiming equal pay (the "comparator")

Please outline in detail below the specifics of your complaint: *

REDRESS OPTIONS

Complaint to the Director of the Equality Tribunal under Section 77 of the Employment Equality Act, 1998

PLEASE ATTACH A COPY OF RECENT PAYSリップ

I declare that, to the best of my knowledge, the information provided in relation to the complaint(s) above is accurate.

Complainant's Signature: * _____ Date: _____