

Ref: PD/LS

Date as post mark

**SHEFFIELD CITY COUNCIL PAY & GRADING / EQUAL PAY UP-DATE**  
**MARCH 2010**

Dear Colleague,

I am writing to you to up-date you with regard to where we are with Pay and Grading, our recent ballot, the current position with the Council, potential equal pay claims and our next steps.

**The Ballot:**

As you know we recently carried out an indicative ballot of the entire GMB membership in Sheffield City Council. We gave you 3 choices with regard to possible industrial action.

- \* No industrial action                      45.5%
- \* Action short of a strike                      34.5%
- \* Action including strike action      20 %

The turn out was approximately 25% and so after careful analysis of these results it is clear that there is not the strength of feeling across the Council as a whole to support an industrial action ballot.

You may also recall that we balloted GMB members on the Councils new terms and conditions in 2009 and that their offer was, in fact, rejected. Our position still remains in that we will not agree these terms and conditions with the Council and so we expect them to be imposed in April 2010.

We will continue to challenge the unfairness of this imposed contract and fight for our members at appeals and through litigation wherever possible.

**GMB - Sheffield City Council Pay and Grading**

**Appeals:**

The GMB will support its members through the appeals system and once the new terms and conditions are imposed (as we expect they will be in April) then, we intend to take up the offer of a seat or seats on the appeals panels themselves.

We have received a list of names from the Council for GMB members who have listed Stage 1 appeals but the information has not always married up to what is actually happening and so we are constantly asking the Council to up-date us.

We have not asked the conveners to cover the stage 1 appeals (see 'what next?' below), the purpose of which is to gather information, showing members what their score is, where they have ended up, who decided this and why. **Nothing can change at this level of appeal.**

If members get to their appeal and there is no GMB rep they have the right to postpone the hearing and they should do this. If this is the case then members should contact the Sheffield Office or one of the conveners and we'll make sure that we get them covered for the re-arranged hearing.

Members can check that we have a rep arranged up to a week before the meeting by contacting us at the Sheffield Office (0114 2527571 - Lita).

### What next then?

Once members have got the information from stage 1 we can then assist them to build their case to be presented at the stage 2 appeals. Should a member then wish to take this further a GMB rep will present the case at stage 2. One of the reasons for not involving the conveners in this process up to now (stage 1) is that we need to decide who will be presenting which cases at stage 2, who will be supporting the reps and (yet to be decided) who will be involved in the actual panels from the trade union side hearing the cases.

Once again we have agreed that we need to set dedicated time aside to plan this with members, their reps and our conveners so we have arranged the following Appeals surgeries. At the surgeries we can start this process but we do not envisage the stage 2 appeals starting until late April/May.

### **The surgeries will be available on the following dates:**

	Thur	Wed	Thur	Wed	Thur	Wed	Thur	Wed	Thur
March	N/A	N/A	N/A	24 <sup>th</sup>	N/A	31 <sup>st</sup>	N/A	N/A	N/A
April	1 <sup>st</sup>	N/A	N/A	N/A	15 <sup>th</sup>	21 <sup>st</sup>	22 <sup>nd</sup>	28 <sup>th</sup>	29 <sup>th</sup>
May	N/A	5 <sup>th</sup>	6 <sup>th</sup>	12 <sup>th</sup>	13 <sup>th</sup>	19 <sup>th</sup>	20 <sup>th</sup>	26 <sup>th</sup>	27 <sup>th</sup>

Members can book a start time of: 4:00pm, 4:30pm, 5:00pm, 5:30pm, 6:00pm, 6:30pm or 7:00pm.

**How to book:** Members can complete and post the booking request below, e-mail the request to [Sheffield@gmb.org.uk](mailto:Sheffield@gmb.org.uk), or telephone our office on 0114 2527571 (Lita) and we can check availability and confirm the booking.

NAME / S	DATE	TIME	PHONE NUMBER OR E-MAIL & WORK DEPARTMENT / DIRECTORATE + REP @ STAGE 1 (IF KNOWN)

## Equal Pay / Equal Value Claims:

I have attached an Equal Pay Questionnaire for you. We are going to have to start the process of looking at where members have been placed in the new pay scales and the fact that your jobs have now been measured/evaluated under Pay and Grading. Once again we must now consider whether there is a potential Equal Pay and/or Equal Value Claim arising out of or identified in this process.

If you think that you have ended up on the same pay scale to an opposite sex comparator then you should complete this questionnaire.

**An example:** You may be a woman who works in a predominantly female occupation or female dominated occupation within SCC. Now, as a result of Pay & Grading, if you have ended up on the same scale as a job that is and has been predominantly carried out by men, there could be a potential claim. The male comparator may have always been paid at this new scale or they might have been dropped to this scale but if you have moved up then there is a potential claim looking back for up to 6 years.

**The same principle applies regardless of whether you are male or female.**

This can be quite complicated and so if you're not sure either complete the questionnaire anyway and return it to us (we'll work it out from there and let you know) or contact one of our conveners (see attached SCC contact sheet).

I must stress that we are not saying at this point that you may or may not have a potential equal pay or equal value claim, but we have to make sure that we have the information at hand and within the necessary time scales (maximum of 6 months to lodge once the new contract comes into place). This then enables us to begin the process should this be the case and should the GMB decide to support such cases.

I realize that you are facing a difficult period in your employment and that the information that we have been able to give you has been confusing at times. Please let me assure you that we will be doing all that we can to assist you and do not hesitate to contact us if you require further help with this or indeed any employment issue.

Yours sincerely

*Peter Davies*

Peter Davies - Organisation Officer

[peter.davies@gmb.org.uk](mailto:peter.davies@gmb.org.uk)

[www.gmb.yorkshire.org.uk](http://www.gmb.yorkshire.org.uk)



**SCC EQUAL PAY / EQUAL VALUE QUESTIONNAIRE**

If you wish us to consider whether you have a potential claim for equal pay please complete this form in as much detail as possible in block capitals and return it to the GMB in the prepaid envelope provided.

If you have them, please attach to this form copies of any documentation in respect of your employment which would help us deal with your claim such as Contract of Employment, Job Description, Recent Wage Slips, COT3 Agreement, correspondence from your employer re: any offer made/variation to your Contract of Employment (e.g new Pay & Grading offer)

<b>YOUR FULL NAME:</b>	<b>TITLE: (MR, MRS, MISS, MS)</b>
<b>HOME ADDRESS:</b>	<b>ADDRESS OF YOUR PLACE OF WORK:</b>
<b>DAYTIME TEL NO:</b> <b>EVENING TEL NO:</b> <b>MOBILE TEL NO:</b>	<b>PAYROLL NO:</b>  <b>GMB MEMBERSHIP NO:</b>
<b>DATE OF BIRTH:</b>	<b>DATE YOU COMMENCED EMPLOYMENT:</b>
<b>CURRENT JOB TITLE:</b>	<b>CURRENT PAY GRADE:</b>
<b>CURRENT HOURLY RATE OF PAY:</b>	<b>NUMBER OF HOURS PRESENTLY WORKED:</b>
<b>HAVE YOU SIGNED A COT3 SETTLEMENT AGREEMENT IN RESPECT OF EQUAL PAY?</b>  YES/NO	
<b>DO YOU HAVE AN ONGOING EQUAL PAY CLAIM?</b>  YES/NO	
<b>IF SO, PLEASE STATE THE NAME AND ADDRESS OF YOUR SOLICITORS:</b>  <b>NAME:</b>  <b>ADDRESS:</b>	
<b>REF NO:</b>	

**IF YOU HAVE NOT DONE THE SAME JOB AT THE SAME PLACE OF WORK FOR THE LAST 6 YEARS (OR IF YOU ARE ABOUT TO CHANGE JOBS) PLEASE STATE ALL YOUR OTHER JOB TITLES, GRADE OF JOB, AND THE APPROXIMATE DATES FOR EACH JOB. THE REASON FOR THIS IS THAT ANY CLAIM FOR EQUAL PAY HAS TO BE MADE WITHIN 6 MONTHS OF A SIGNIFICANT CHANGE TO YOUR JOB. IF A CLAIM HAS NOT BEEN MADE WITHIN 6 MONTHS THEN IT WILL PROBABLY BE TOO LATE TO FILE A CLAIM AND NO FURTHER ACTION CAN BE TAKEN ON YOUR BEHALF**

<u>JOB</u>	<u>GRADE</u>	<u>WORKPLACE</u>	<u>DATE STARTED</u>	<u>DATE ENDED</u>
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**HAVE YOU (OR WILL YOU IN THE NEXT 6 MONTHS):**

- i) LEFT YOUR EMPLOYMENT?**
- ii) BEEN TRANSFERRED BY TUPE TO A NEW EMPLOYER?**

**IF SO, WHEN?**

**AN EQUAL PAY CLAIM IS A CLAIM FOR SEX DISCRIMINATION. YOU NEED TO COMPARE YOURSELF WITH A WORKER OF THE OPPOSITE SEX. IF WE CANNOT FIND A SUITABLE COMPARATOR FOR YOUR PARTICULAR JOB WE WILL BE UNABLE TO PURSUE A CLAIM ON YOUR BEHALF.**

**DO YOU KNOW OF ANY JOBS WHICH ARE DONE MAINLY BY MEN, WHICH YOU BELIEVE ARE NO MORE DIFFICULT THAN YOUR OWN JOB AND/OR WHICH ARE GRADED OR RATED THE SAME OR LOWER THAN YOURS BUT FOR WHICH THERE IS A HIGHER RATE OF PAY?**

**IF SO PLEASE GIVE FULL DETAILS.**

**AUTHORITY**

It is important that you understand that your Union are investigating a number of possible similar claims. To facilitate the conduct, co-ordination and settlement of those claims, it is important that you give the following authorities and by signing this questionnaire, you authorise the investigation of your own individual case and the following:-

- (1) I authorise the Union's solicitors to take instructions on the conduct of my potential claim, including the issuing of Tribunal proceedings.
- (2) I agree and understand that I must continue to pay my Trade Union subscriptions throughout the period of any claim pursued on my behalf, even if my present employment ends.
- (3) I understand that I am free at any time to revoke this authority but that if I do so the Union and/or solicitors will be unable to act for me.

Signed .....

Dated .....