JOINT AGREEMENT ON GUIDANCE FOR EQUAL PAY IN FURTHER EDUCATION

BETWEEN

THE ASSOCIATION OF COLLEGES (AoC)

AND

ASSOCIATION FOR COLLEGE MANAGEMENT (ACM)

ASSOCIATION OF TEACHERS & LECTURERS (ATL)

GMB

NATIONAL ASSOCIATION OF TEACHERS IN FURTHER AND HIGHER EDUCATION (NATFHE)

TRANSPORT & GENERAL WORKERS’ UNION (TGWU)

UNISON
1.0 Introduction

The college and the recognised unions support the principle of equality in employment and believe as part of that principle that female and male staff should receive equal pay for the same or broadly similar work, for work rated as equivalent, or for work of equal value.

Throughout this document, pay is taken to include basic pay, pensions, sickness, market rates supplements, bonus payments, leased cars and other benefits, payments for Bank Holidays, annual leave, performance related pay etc. [This list is not exhaustive]

2.0 Legal Duties

We understand that a right to equal pay between women and men free of sex bias is a fundamental principle of European Union Law, and is conferred by United Kingdom legislation.

The Equal Pay Act 1970, as amended by the Equal Pay (Amendment) Regulations 1983, provides for equal pay between women and men in the same employment by giving a woman the right to equal pay in her contract of employment where she is employed on:

- like work to that of a man or
- work rated equivalent to that of a man or
- work of equal value to that of a man, hereafter referred to as equal work.

We believe it is in the overall interest of the college, and good business practice, that pay is awarded fairly, equitably and not on an arbitrary basis.

We recognise that in order to achieve equal pay for employees doing equal work, and to redress any existing imbalance, we should operate a pay system which is transparent, based on objective criteria, and free from sex bias.

2.1 Meeting our Legal Duties

In order to achieve equal pay, the college should work within the agreed local procedures to:

- Examine college existing and proposed pay practices (including any additional pay elements) in line with the EOC pay review in the Code of Practice. All our employees will be covered, including those on fixed-term contracts, part-time contracts, hourly-paid workers, term-time only workers, and those who are absent on pregnancy and maternity leave. In addition, if the college employs staff through an agency, we should ensure that such
workers are not disadvantaged in pay terms compared to those we employ directly.

- Carry out an Equal Pay Review using the current code from the Equal Opportunities Commission.

- Carry out annual monitoring of the impact of our practices, including those on grading, re-grading, return to work, etc.

- Produce transparent pay systems, so that all employees are informed about how these practices work, what the pay scales applied throughout the college are, and how their own placement on the pay scale has been arrived at.

- Provide training and guidance for managers, and trade union representatives involved in decisions about pay and benefits.

- Ensure that all part-time workers, temporary workers and agency workers are covered by the pay policy, and not treated any less favourably.

- Agree the equal pay policy with the recognised trade unions.

We intend through the above actions to eliminate discrimination, to reward fairly and equitably all staff, to ensure that women are not disadvantaged because of career breaks linked to caring responsibilities, to increase job satisfaction and to enhance the college’s reputation and image. Any job evaluation scheme should be carried out in line with AoC Joint Agreement.

3.0 Key Elements

3.1 Recruitment and Selection

The criteria which determine initial placement on the pay scales should be fair, clear and transparent.

Annual monitoring should take place, and if it is found that women are being appointed at lower points on the pay scale, we will examine our recruitment records, and devise an action plan to rectify any anomaly.

We should examine our qualification requirements to see if they adversely affect women and are necessary for the post.

Our records should be checked to ensure that women are being paid at the same rate as their male predecessors and contemporaries in similar posts.

All staff involved in recruitment and selection should be given training in non-discriminatory-practice.

3.2 Promotion
The criteria to determine promotion should be fair, clear and transparent and appropriate.

Internal promotion opportunities should be widely publicised throughout the college, and candidates should be selected according to their skills [including transferable skills] and abilities relating to the essential needs of the job.

Regular monitoring should take place to establish whether men and women are being promoted in equal proportions throughout the college. If there is a discrepancy, an action plan should be drawn up to address the issue. In line with current legislation we support positive action.

3.3 Training

Those involved in the pay and grading issues, from both the management and trade unions sides, should be trained to ensure that grades and pay are not gender biased and that the criteria for assessing grades are based purely on the actual job content.

We should ensure that the training needs of all staff are regularly assessed and that men and women have equal access to training. Training should be delivered in working time, and in family-friendly hours. If it is found that lack of training is a factor in under-representation of women in higher grades, the College should use positive action to ensure these training needs are met. Those returning from a career break will be offered appropriate training.

3.4 Benefits and Services

All benefits for doing a particular job should be the same for men and women.

The College practices on pensions, sick pay, etc should be monitored to ensure there is no direct or indirect discrimination against women. Access to overtime should be checked to ensure that women and men have equal access to this work, and an equal right to refuse non-contractual overtime.

4.0 Complaints

The College should seek to provide a supportive environment for staff who wish to make a claim of pay inequality.

5.0 Review and Consultation

5.1 This Joint Agreement on Guidance should be reviewed on a regular basis in accordance with legislative developments and the need for good practice, by the College.

5.2 As part of the review the College should seek and take into account the views of stakeholders including the consultation/negotiating arrangements within the College, and appropriate equality bodies.
6.0 Implementation

The College, working in partnership with the recognised trade unions and employee representatives, should seek to ensure that all staffing policies and procedures (e.g. Recruitment and Selection Procedure) are non-discriminatory, and that monitoring and positive action processes are regularly viewed.

7.0 General

This agreement should not be read in isolation, but cross-referenced with all relevant College employment policies.

This agreement deals with equal pay between men and women. The College, however, undertakes to ensure that equal pay principles will apply to all groups. Further details will be found in the relevant equality policies.

8.0 Definition of Joint Agreement

The Agreement on this guidance is intended as a recommendation to Colleges relating to Pay Equality in Employment issues.
JOINT AGREEMENT ON GUIDELINES FOR EQUAL PAY IN FURTHER EDUCATION COLLEGES

SIGNATURES OF THE PARTIES TO THIS AGREEMENT

AoC

ACM

ATL

GMB

NATFHE

TGWU

UNISON

Date of Commencement of this Agreement: