

Guidance notes to be read alongside UNISON Careers Scotland Equal Pay form – July 2007.

This guidance note is designed to help you fill in the UNISON Equal pay CASE form. If you are unsure of any of the answers or want help completing the form, your local steward, branch or regional office may be able to help you.

Please do try to fill in every box as accurately as possible as this will help us to process your form quickly. Some sections may not appear to be relevant to you. It is very important that you fill in all of the information asked for otherwise delays may occur in the processing of your form.

Introduction to equal pay

The purpose of the form is to provide UNISON with the information we need to establish whether you have suffered inequality in pay and may have a legal claim.

Potential equal pay claims in Scottish Careers are most likely to come from under valued and/or under paid female dominated jobs. Those who are likely to have equal pay claims are colleagues of the opposite gender who are working in the same or very similar jobs but who are being paid less.

Members and the union are working together to prove that there has been a historical inequality in pay, and that the reason for the inequality is based on your gender.

What this means in reality is that within your workplace a “comparator” has to be identified. A comparator is someone who is of a different gender to you, who was doing the same or very similar work to you but who was paid more.

Once a comparator has been identified, detailed evidence then needs to be gathered about the terms and conditions of both the individuals making the claim and their comparators, including information about basic pay, enhancements for working unsociable hours and any bonus payments received.

Equal pay is a complex issue and so we, or our agent solicitors, will need to gather as much information as possible from you about your terms and conditions and that of a possible comparator.

What is involved in a claim?

Once this form has been processed, a full assessment will be made to decide whether it is appropriate to lodge a grievance with your employer, followed by submitting a claim to an employment tribunal. The parts of the union involved in this assessment will include:

- your branch,

- your region,
- the union's national negotiators,
- our legal team
- a senior member of the unions' National Executive Council.

In addition our agent solicitors will also advise on whether the case has “a reasonable prospect of success”. Legal cases can be very lengthy and are very expensive. It is not uncommon for equal pay cases to run for many years if the employer is not prepared to settle. The union has a duty to all its members to ensure that its resources are used effectively. This includes making careful decisions to ensure that we support cases where we believe we have a prospect of winning. This does not mean that we only take “easy” cases but it does mean that if we do not believe that your case has reasonable prospects of success, we will be honest and tell you that.

Below are some help notes which offer advice on where you may be able to find some of the information requested

Section 1 – Membership details

1.1 We need to know that you are a fully paid up UNISON member, and you must maintain your membership during any period when UNISON is acting for you. Filling in your membership number will speed up the processing of your form. Your membership number can be found on your UNISON membership card and may also be on correspondence sent by UNISON.

Don't worry if you do not know your UNISON membership number, but do make sure that you give us accurate personal details that allow us to find you on our records.

Section 2 – Correspondence details

Please provide your full current correspondence details. It is important that this information is up to date as UNISON will need to contact you at this address. Please ensure that your postcode is clearly written, as this will help us process the form. If you have moved house without telling us, or changed your surname etc, please explain this in the “other information” box in section 9.

Section 3 – contact details

If possible, please provide contact telephone numbers and any regularly checked email address so that UNISON can contact you urgently if necessary.

Section 4 – personal details

4.2 Your National Insurance number can be found on your payslip.

4.4 If you have a disability which may impact on the way in which UNISON would assist you, and you can identify specific needs (for example palantype, large print, or mobility needs for meetings) please tell us about them.

Section 5 – Employment details

Please do not leave any question unanswered in this section or your questionnaire may have to be returned for you to complete fully.

Where possible you should provide a copy of your:

- Contract of employment / letter of appointment
- Job description / skill set
- Last 3 wage slips for each position held.

This will help us to process your claim. Please do not send original documents, as it is not always possible for us to return them.

It is **very important** that you fill in the details for the job to which your claim relates. So, if you have left your job, or had a change in contract in the last 6 months, and your claim relates to your previous job, you must fill in details for your old job.

If you have more than one job for which you want to make a claim, you will need to fill in one form for each job, and make a note of this in the additional information box in section 9 of both forms. UNISON Direct can provide additional forms. You can call them on 0845 355 0845. They are open Monday-Friday 6am-midnight and Saturday 9am-4pm.

5.4 Your employer is the organisation that you work for eg. Careers Scotland he full name will be listed on your payslip.

5.5 Your payroll number can be found on your payslip.

5.7-5.8 There are very specific and hard time limits for the presentation of Equal Pay claims to the Employment Tribunal. Therefore, it is **very important** that you advise us on your questionnaire if:

- you have left your employment within the last 6 months
- you intend to leave your employment in the near future
- you have changed jobs within the last 6 months or intend to
- or you have been promoted within the last 6 months or you are due to be promoted.

Any of those will trigger the time limit for the submission of your claim and without accurate information we will be unable to do so within the appropriate time limit.

5.9 See Appendix 1.

5.10 Please fill in your place of work and full postal address. Your place of work may be different to your employer's address. For this question please write the address of the place you normally work at.

5.11 Your grade or level may be on your payslip. If not your Human Resources department may be able to advise you. See Appendix 1.

5.12 Please list the date you started the job to which your claim relates.

5.13-5.14 Please tick appropriate boxes

5.17 Please list the days that you normally work.

5.18 Please detail what allowances you receive, the amount you receive 4 weekly or annually.

5.19 Please advise how much non consolidated bonus payment you have received from 2005 onwards

5.20 Every equal pay case must identify a comparator. As a member you may be able to assist with that but if you are unable to provide any information it will not affect your case.

A comparator is someone of a different gender to you. In Careers Scotland most equal pay claims will come from someone who is a different gender from the claimant and who is working in a job which is the same or very similar to the job of the claimant.

If you can identify a colleague who may be a comparator for you tell us their name and job title.

Section 6 – Previous positions

Please provide as much information as possible if this section applies to you.

6.2-6.3 Your grade/ level may be on your payslip. If not your Human Resources department may be able to advise you.

Section 7 – Case details

7.1 – 7.4 If the answer is yes to any of these questions, it is **very important** that you provide details, and copies of the relevant documents. This will help us to process your case.

Section 8 – Remedy sought

8.1 UNISON has an approved standard wording in respect of equal pay cases.

8.2 It is important that you provide further details if you are, or have been, represented by another person or organisation in relation to equal pay.

Section 9 - Declarations

9.2 This box can be used to provide any additional information, including any change of name or address that you haven't previously told us about.

9.3 Please list any documents or additional sheets that you are sending with your CASE form. These documents are contract of employment / letter of appointment, job description / skill set and the last 3 wage slips for each post held. This could include your TUPE letter of transfer April 2002.

Section 10 – Action taken by the region

Section 10 is for office use only. Please leave these boxes blank.