

IDS Diversity at Work aims to provide timely, accurate and high quality information on workplace diversity, equal opportunities and discrimination law. It will help increase your understanding of and compliance with the law, and supply the information and the tools you need to realise the benefits of good practice.

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- EAT ruling puts equal pay bargaining back on track
- CEHR undermined by 'indecision and delays', say MPs
- Government sets up new Equalities Office
- Heyday age questions finalised
- Gender equality still generations away
- Tribunal equal pay claims double
- Britain's most parent-friendly employers
- Women doctors still not fulfilling potential
- Get rid of fixed retirement ages, says EFA
- EC urges procurement role in reducing pay gap

Plus news in brief: £45k religion award – Equal pay support – CEHR appointments – Npower diversity aims – Age benefits – London Fire awards – Female commission – Fall in women partners – DEDIGED guide – Record award set aside – Diversity guide – Women's skills boost – Job-share website – Minority teachers – Managers ill-equipped

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Coaching mums – hanging on to talent

These days, there are a number of pressures on companies to retain their female employees. Workplace demographics are changing, so that, for instance, by 2010, one in five workers will be mothers. Women are also having babies later, so are more likely to be in a senior position when they go on maternity leave. And that makes them expensive to replace. So what can employers do about it? In this article, we explore the new concept of maternity coaching, which gives pregnant employees support before, during and after maternity leave. The idea is to make them feel valued and supported, and therefore more likely to return to work after having their baby.

Case Watch – Appeals 18

Upper age limit on unfair dismissal not unlawful

Lloyd-Briden v Worthing College – The EAT rules that an employment tribunal had been correct to strike out a claim of unfair dismissal where the claimant was aged 82 at the time of dismissal, and it had not been obliged to set aside the now-repealed statutory bar on persons over 65 claiming unfair dismissal. Non-discrimination on the ground of age is a fundamental principle of EC law which will, in certain circumstances, allow a court or tribunal to disregard a conflicting provision of national law. However, these circumstances are limited to cases where an age discriminatory provision has been enacted during the transposition period of the relevant Directive.

Pay protection approach justified

Middlesbrough Borough Council v Surtees and ors – A Council employer's decision to offer pay protection only to employees who, following the introduction of a job evaluation scheme, would otherwise have suffered a fall in pay was objectively justified, holds the EAT. Here, as it was impossible, at the time pay protection was introduced, for the Council to know which claimants *should* be receiving the higher rate of pay, it was proportionate for it to restrict such protection to those employees who were *actually* receiving the higher pay.

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Age discrimination: Cleaner wins age dismissal claim
Disability discrimination: Dismissed because of time off to treat cancer

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Have the equality duties made a difference?

The public sector equality duties, which require public authorities to promote equality of opportunity between different racial groups, the disabled and non-disabled, and between men and women, have positively influenced the progress of equality and diversity, according to a survey of public authorities by diversity consultants Schneider-Ross and *IDS Diversity at Work*. Alexis Walmsley, a research consultant at Schneider-Ross, outlines the survey findings. The full results, along with examples of good practice from a range of public bodies, will be published in a final report and launched at an IDS conference on the public duties in November.

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