

## **1. DISPUTE**

**1.1** This dispute concerns a claim by S.I.P.T.U., on behalf of Ms. Pauline Andrews and Ms. Fionnuala Stockton who are employed by the Irish Times Limited, that they are entitled to the same rate of remuneration as that paid to four named comparators in terms of Section 3(a), Section 3(b) and Section 3(c) of the Anti-Discrimination (Pay) Act, 1974. Details of the claimants and the comparators are listed in Appendix A.

## **2. BACKGROUND**

**2.1** The Irish Times Limited was established in 1859 and it publishes the Irish Times and the Irish Field. Ms. Andrews is employed as an Analyst/Programmer earning an annual salary of £25,923 while Ms. Stockton is employed as a Software Development Co-ordinator with an annual salary of £28,544.

**2.2** The four named comparators are all assigned to the Editorial Systems team. Three of them earn salaries ranging from £31,422 to £35,157 per annum with the fourth comparator earning an annual salary higher than this. The Union argues that the claimants perform 'like work' with that performed by each of the four named comparators and are, therefore, entitled to the same rates of pay. On 2nd May, 1996 a claim under Section 3(a), 3(b) and 3(c) of the Anti-Discrimination (Pay) Act, 1974 was submitted by S.I.P.T.U., on behalf of Ms. Andrews and Ms. Stockton, to an Equality Officer for investigation and recommendation.

### **3. SUMMARY OF THE UNION'S CASE**

**3.1** According to the Union there are three separate Information Technology (I.T.) Departments in the Irish Times as follows:

The I.T. Services Department, Established 1970

The Editorial Systems Team, Established 1991

The Commercial Systems Team, Established 1992

The Union says that the Editorial and Commercial Systems teams were originally set up as temporary situations with the intention of their ultimate integration into the main I.T. Services Department. Some of the claimants sought and were refused jobs in both these teams on the basis that they were temporary and that the work would ultimately be accommodated within the I.T. Department.

**3.2** The Union says that the two claimants work in the I.T. Services Department, one as a Software Co-ordinator (Fionnuala Stockton) with an annual salary of £28,544 and the other as an Analyst Programmer (Pauline Andrews) with an annual salary of £26,000. The comparators are all male and are employed in the Editorial Systems Team. The Union states that all the comparators are equally graded with the exception of Mr. O'Marcaigh who is graded slightly higher as he has some managerial/supervisory duties. According to the Union Mr. O'Marcaigh earns an annual salary of £34,000 while the other comparators earn annual salaries of £31,500.

**3.3** The Union says that the claimants are qualified professionally as Analysts Programmers (3rd Level) and can perform analyst work, programming and system support work in all areas of I.T. Operations. The comparators, with one exception, are not so professionally qualified and are confined to system support work in their own

area only.

**3.4** The Union states that the responsibilities of the claimants are wide-ranging covering systems support work for both systems while the comparators are strictly confined to their own systems i.e. Editorial and Commercial. The Union also says that the claimants have a whole range of responsibilities in excess of system support which are more onerous and more skilled. The Union argues that all of the comparators, bar one, could not perform the duties of the claimants whereas the claimants can and regularly do the work in the comparator's area.

**3.5** The Union states that all the claimants are professionals in the broader I.T. area whereas the comparators in the Editorial Systems (with one exception) are all former journalists who have grown up with the particular system. The Union claims that the comparators would not have any I.T. experience outside their own area and would have very limited knowledge of the broader I.T. system. In contrast the claimants would be fully interchangeable with I.T. specialists in any other organisation. The Union says that the comparators would have a good working knowledge of their own system and are in a position to provide support for many of the difficulties that may arise in their own Department, but the more complex issues would have to be referred to the professionals in the I.T. Systems Department.

**3.6** The Union says that, when the Editorial System was originally introduced in the early 1990s, it was the stated intention to have it fully integrated and supported from the I.T. Services Department and staff were so advised at the time and prevented from applying

for jobs in either of the new systems teams which were only to be temporary. The predecessor of the Editorial Systems was T.P.S. and this was serviced and supported by the I.T. Systems Team.

- 3.7** The Union states that the claimants are required to have and to apply all the skills necessary to support three systems while the comparators are only required to support one system. On this basis the Union argues that the jobs must be equal. However, the Union says that the claimants, as Analyst Programmers, have a much more sophisticated role within the I.T. Systems Department and should, therefore, be acknowledged as operating well in excess of Clause 3(c) of the 1974 Act. The Union says that as the claimants are both female and all the comparators are male and also the fact that the claimants are denied access to the Editorial Systems Team is a case for discrimination under the 1974 Act.

#### **4. SUMMARY OF COMPANY'S CASE**

- 4.1** The Company states that one of the claimants is employed as an Analyst Programmer earning an annual salary of £25,923 while the other claimant is employed as a Software Development Co-ordinator earning an annual salary of £28,544. The Company rejects the Union's claim that 'like work' exists between the jobs of the claimants and each of the named comparators. The Company also says that there are legitimate grounds other than sex to justify the higher levels of remuneration of the comparators.
- 4.2** The Company says that the comparator (Mr. O'Marcaigh) is at a higher level than the other three named comparators. He is employed by the Company as a journalist and he is the Editorial Systems Editor. He

is paid according to the N.U.J. management scale and his salary is in excess of salaries of the other named comparators. The other three named comparators are members of the Editorial Systems Team.

**4.3** The Company rejects that the same work as set out in Section 3(a) of the 1974 Act is carried out by the claimants and any of the named comparators. According to the Company the claimants are dedicated computer programmers who maintain and develop a range of computers. Mr. O'Marcaigh is a senior journalist who manages an editorial function which is central to the day-to-day production of the newspaper. Each of the remaining three comparators are journalists who are centrally involved in the day-to-day production of the newspaper. The Company argues that full interchangeability does not take place between the jobs of the claimants and each of the named comparators. The comparators provide application support and training to journalists while the claimants do not. Rather the claimants develop commercial information support while system team members do not. The Company says that Mr. O'Marcaigh has the added responsibility for budget issues, personnel, etc. while the claimants have no such responsibilities.

**4.4** The Company rejects the claim that 'like work' as defined by Section 3(b) of the 1974 Act exists between the jobs performed by the claimants and the jobs performed by the named comparators. The Company says that the claimants are involved in providing a range of information technology services and, therefore, they are technology specialists. All of the comparators are journalists centrally involved in the day-to-day editorial production of the newspaper. Mr. O'Marcaigh is also the manager of the team with overall

responsibility for the system's team objective including personnel issues, budgets, development and planning. The Company states that the differences between the jobs of the claimants and the comparators occur all the time and are of sufficient importance to justify the higher rate of pay for the jobs performed by the comparators.

- 4.5 The Company rejects that 'work of equal value' as defined by Section 3(c) of the Act exists between the job of the claimants and the named comparators. It examined the jobs under the headings of skill, responsibility, mental effort and working conditions as follows:

Skill

To perform the job of the claimants one requires a diploma in information technology or experience in a general commercial computing environment. A reasonable amount of judgement and initiative is required in the job. The claimants are reasonably closely supervised but the I.T. Services Manager is available for consultation if problems arise. As the claimants do not have general management responsibilities they do not need the skills such as recruitment and selection, management organisation, budget implications, etc.

Computer literacy and significant exposure to newspaper editorial production are necessary to perform the work of the comparators. Excellent communication skills are required as the comparators must deal with users in a pressurised environment. The comparators are expected to solve problems rapidly due to time pressures. They are not closely supervised and must prioritise the work themselves. They are also required to have excellent training skills to train users to required levels. Mr. O'Marcaigh, being a senior manager, must have all the

necessary skills such as recruitment and selection, management organisation, budget implications, etc.

The Company argues that there is a greater skill involved in the job performed by the comparator.

### Responsibility

The claimants have some support duties but they are not in the main areas of newspaper production. The systems the claimants' support include management systems. Errors made will be picked up by others and the impact will not be as great as in the case of the comparators.

The comparators are responsible for the support of the complete editorial staff and some production staff. There can be up to 150 people "live" on the editorial system at peak times. Each of these can call on the team at any time. System down time must be acted on immediately. Delay could at worst cost an edition or delay production and delivery. A mistake or delay problem or error solution by the comparators could have serious implications for the production of the newspaper such as late publishing which has significant cost implications. The comparators have responsibility for supporting journalists when outside the main office together with over 50 staff and non-staff correspondents. The claimants do not have such similar responsibilities. The comparators have full responsibility for formal primary and follow up training for all system users. The training involvement for the claimants is usually of a more informal nature. Mr. O'Marcaigh has management responsibilities including overall responsibility for the electronic publishing system, staff issues, budgetary matters, work scheduling and development of the system. The claimants have an Information Technology Manager who is responsible for

these types of duties.

The Company argues that there is a greater responsibility involved in the job performed by the comparators.

#### Mental Effort

The comparators perform the job in a more pressurised environment which often involve intense bursts of concentration to solve time critical issues. This is not usual in the job performed by the claimants. The comparators often have to deal with several issues simultaneously whereas the claimants generally deal with one issue at a time. The comparators usually work on their own during time critical periods while the claimants work in a team environment with management support usually available. Mr. O'Marcaigh must make key executive decisions in relation to the development of both his staff and the editorial production pressures of the newspaper.

#### Working Conditions

The claimants usually work normal office hours while the comparators work shifts without additional payment. Furthermore coverage time of the systems team is greater than the claimants.

The Company says that the working conditions are more demanding for the job performed by the comparators.

The Company argues that there are significantly greater skills, responsibility, mental effort and more difficult working conditions in relation to the jobs performed by the comparators. On this basis these jobs are of a higher value and, therefore, justify a greater rate of pay.



4.6 The Company also argues that there are legitimate grounds other than sex to justify the higher levels of pay for the named comparators. In showing this the Company details background information which is set out in Appendix B.

4.7 The Company states that it does not accept that the job of the claimants and the named comparators involve 'like work' as defined by Section 3(a), 3(b) and 3(c) of the 1974 Act. The jobs performed by the claimants are not the same, of similar nature, or equal in value with that performed by the named comparators. Because 'like work' does not exist between the jobs performed by the claimants and the named comparators the Company asks that the Equality Officer rejects this claim. The Company says that, without prejudice to its arguments in relation to 'like work', it contends that differences in pay are not on the grounds of sex.

## 5. CONCLUSIONS OF THE EQUALITY OFFICER

5.1 In making my recommendation in this case I have taken into account all of the submissions, both written and oral, made to me by the parties and also the work inspections which I carried out on the work performed by the claimants and each of the named comparators. Attached to their submissions the Union and the Company submitted job descriptions for the claimants and the named comparators. However, following the work inspections I drew up job descriptions reflecting the jobs undertaken by each of the claimants and each of the named comparators. At the final hearing the Union submitted a further job description for the claimants. The job descriptions submitted by the Union and the Company are attached as Appendix C.

5.2 The issue for consideration in this case is whether or not 'like work' exists between the work performed by the claimants and that performed by the comparators within the meaning of Section 3(a), Section 3(b) and Section 3(c) of the 1974 Act. The matter of whether or not the claimants are able to undertake the work carried out by the comparators is not relevant to this case.

5.3 I note that one of the named comparators (Mr. O'Marcaigh) is earning a higher salary to that being earned by each of the other three named comparators (Mr. Dooley/Mr. Maguire/ Mr. Moriarty). Mr. O'Marcaigh, while he performs all of the duties performed by each of the other three named comparators, he heads up the Editorial Systems Team and as such has additional responsibilities to the other named male comparators. I am, therefore, satisfied that he does not perform "like work" to that performed by the other three named comparators. Following my work inspections I find that the other three named comparators perform "like work" with each other. However, I note that one of these three comparators (Mr. Moriarty) is being paid a lower salary to the other two comparators. According to the Company a new grading system was introduced in the Editorial Department within the last two years. Under this system staff were awarded a basic salary with a variable component insofar as service is concerned i.e. service-related increments. This accounts for the difference in pay between Mr. Moriarty and the other two named comparators. I propose to examine the claim by Ms. Andrews in relation to the three named comparators and then in relation to Mr. O'Marcaigh. I will, then, proceed to examine the claim by Ms. Stockton again in relation to the three named comparators and then in relation to Mr. O'Marcaigh.

Claim by Ms. Andrews:

- 5.4 Section 3(a) of the Act states that two persons shall be regarded as employed on "like work" where:

*"both perform the same work under the same or similar conditions, or where each is in every respect interchangeable with the other in relation to the work".*

The claimant is employed as an analyst/programmer in the I.T. Services Department in the organisation. Her responsibilities include, inter alia, analysing the requirements for new systems, supporting existing systems, writing BASIC programs and the training of users. The three comparators (Mr. Dooley/Mr. Maguire/Mr. Moriarty) are employed as members of the Editorial Systems Team with responsibility for the operation and support of the editorial systems including training. Having examined the work of the claimant (see Appendix D) and that of each of these three comparators (see Appendix E) I am satisfied that they do not perform "like work" in terms of Section 3(a) of the Act.

- 5.5 Section 3(b) of the Act states that two persons shall be regarded as employed on "like work" where:

*"the work performed by one is of a similar nature to that performed by the other and any differences between the work performed or the conditions under which it is performed by each occur only infrequently or are of small importance in relation to work as a whole".*

The Labour Court, in the case of Dowdall O'Mahoney and Co. Limited and Irish Transport and General Workers' Union (DEP687), said that the claimants and the comparators (in this case) perform general operative factory work. It held that:

*"it is the intention of Section 3(b) to cover claims from persons employed in such situations as opposed to persons employed on the same work which is covered by Section 3(a), e.g. two bus*

*conductors, or work that is not the same or similar which is covered by Section 3(c), e.g. a clerical worker and a general operative worker".*

On the basis of the work inspections I am satisfied that the work undertaken by the claimant is of a similar nature to that undertaken by each of the three named comparators. Both the claimant and the named comparators support and maintain computer systems, both are involved in training, and both, by the nature of their work, must interact with users of the systems and with computer suppliers. I accept that there are some differences (i.e. they both work on different systems, the manner in which training is given (formal/informal) may differ) in the work performed by both categories of worker but I consider that these differences are of small importance in relation to the work as a whole.

- 5.6 On the basis of the foregoing, I am satisfied that Ms. Andrews performs "like work" with each of the three named comparators in terms of Section 3(b) of the 1974 Act. Consequently, it is not necessary to examine their work under Section 3(c) of the Act. However, in conjunction with other claims made against the Company and which I have investigated (Recommendation No. ?) I note that there are a number of male staff members working with the claimant. I, further, note that she and her male colleagues are earning the same salary. I am satisfied that they perform "like work" with each other. On this basis the claimant's male colleagues would also perform "like work" with each of the three male comparators. While I have found that the claimant performs "like work" with that performed by each of the three named comparators, I cannot accept that the reason for the difference in pay between these two categories of worker is based on sex. A similar scenario as this arose in the case of the Steel Company of Ireland and

Ms. Denise Wilton (DEP971) and the Labour Court agreed with the Equality Officer's findings that there were grounds other than sex for the payment of the different rates of remuneration.

**5.7** I have found (see paragraph 5.3 above) that, because of his higher salary and the duties he undertakes, the other comparator (Mr. O'Marcaigh) does not perform "like work" with that performed by each of the other three named comparators. In paragraph 5.5 above I have found that the claimant does perform "like work" with that performed by each of the three named comparators under Section 3(b) of the Act. Because of the additional duties being performed by Mr. O'Marcaigh I am satisfied that 'like work' does not exist between him and the three named comparators. It is also because of these additional duties that I, therefore, find that the claimant does not perform 'like work' with Mr. O'Marcaigh in terms of Section of the Act.

**5.8** In conclusion I find that, while 'like work' exists between the claimant and each of the three named comparators in terms of Section 3 of the Act, her lower rate of pay is for reasons other than her sex within the meaning of Section 2(3) of the Act. I also find that 'like work' does not exist between the claimant and the comparator (Mr. O'Marcaigh) in terms of Section 3 of the Act.

Claim by Ms. Stockton:

**5.9** From my examination of her work (see job description in Appendix F) I am satisfied that the claimant has two distinct components to her work. The claimant's job title is Software Co-ordinator. The claimant carries out all the duties performed by Ms. Andrews and, in

addition, she is responsible for the allocation of resources to requests for new systems or modifications to existing systems. For the reasons set out in paragraph 5.4 above and taking into account the additional tasks performed by the claimant I am satisfied that she does not perform 'like work' with that performed by each of the three named comparators (Mr. Dooley/Mr. Maguire/Mr. Moriarty) in terms of Section 3(a) of the 1974 Act. Taking account of the claimant's additional duties I am also satisfied that the work performed by her is not of a similar nature to that performed by each of the three named comparators within the meaning of Section 3(b) of the Act.

**5.10** Section 3(c) of the Act states that two persons shall be regarded as employed on "like work" where:

*"the work performed by one is equal in value to that performed by the other in terms of the demands it makes in relation to such matters as skill, physical or mental effort, responsibility and working conditions".*

As stated in paragraph 5.3 above the three named comparators (Mr. Dooley/Mr. Maguire/Mr. Moriarty) perform 'like work' with each other. Therefore, I propose to examine the claimant's work with that performed by Mr. Dooley in terms of Section 3(c) of the Act. In this examination I have taken into account every aspect of the work performed by the claimant and the named comparator in relation to skill, physical effort, mental effort, responsibility and working conditions. The details of this examination is set out in Appendix G. From my analysis I find that the overall demands made on the claimant are greater than those made on the named comparator. As the three named comparators perform 'like work' with each other and the demands made on the claimant are greater than those made on Mr.

Dooley in terms of Section 3(c) of the Act it, therefore, follows that the demands made on the claimant are greater than those made on each of the three named comparators. In conclusion, I find that 'like work' exists between the work performed by the claimant and that performed by each of the three named comparators within the meaning of Section 3(c) of the 1974 Act.

**5.11** In paragraph 5.3 above I note that, while Mr. O'Marcaigh performs the same duties as the other three named comparators, he also has additional duties to perform as Editorial Systems Editor. In paragraph 5.9 above I have indicated that, while the claimant carries out all the duties of the Analyst/Programmer, she has other additional duties as Software Co-ordinator. In paragraph 5.6 above I have found that 'like work' exists between the work of an Analyst/Programmer and the work performed by each of the other three named comparators who are members of the Editorial System Team. On the basis of the foregoing I am satisfied that 'like work' exists between the claimant and Mr. O'Marcaigh where their work relates to the duties of an Analyst/Programmer and Editorial System Team member respectively in terms of Section 3 of the Act.

**5.12** It is now necessary to examine the additional duties performed by the claimant and those performed by Mr. O'Marcaigh in terms of Section 3(a), 3(b) and 3(c) of the 1974 Act. The claimant is responsible for allocating resources in response to requests for new systems or modifications to existing systems. The comparator heads up the Editorial Systems Team with responsibility for three staff members. He is responsible for setting goals for the team, budgets, personnel issues in relation to staff members, etc. A job description for the comparator is set out in

Appendix H. From my examination of the additional duties carried out by the claimant and the named comparator I am satisfied that the work is not the same or similar within the meaning of Section 3(a) and Section 3(b) of the Act.

**5.13** Taking the additional duties performed by the claimant and the comparator I have examined the demands made on them in relation to skill, physical and mental effort, responsibility and working conditions within the meaning of Section 3(c) of the Act. The details of this examination are set out in Appendix I. From my analysis I find that the overall demands made on the named comparator are greater than those made on the claimant in relation to the additional duties. Therefore, I am satisfied that the claimant does not perform 'like work' with that performed by the named comparator in terms of the additional duties performed by both within the meaning of Section 3(c) of the 1974 Act.

**5.14** In conclusion I have found, in paragraph 5.10 above that 'like work' exists between the work performed by the claimant and that performed by each of the three named comparators (Mr. Dooley/Mr. Maguire/Mr. Moriarty). Under Section 2(3) of the Act the Company has argued that the analyst/programmer pay rate is a unisex one and as the software co-ordinator job is linked to the analyst/ programmer job, by implication, the software co-ordinator rate must also be a unisex rate. I am satisfied that the claimant performs higher value work to the analyst/ programmers and the Company has acknowledged this by giving her a higher rate of pay. For this reason I find that her rate of pay is not a unisex one. I have also found, as at paragraph 5.10 above, that the claimant performs higher value work to each of the three named comparators (Mr. Dooley/Mr.



Maguire/Mr. Moriarty) in terms of Section 3(c) of the Act. Having considered all the submissions in this case, I can find no valid grounds within the meaning of Section 2(3) of the Act which justify the claimant being paid a lower rate of pay than the three named comparators with whom she performs 'like work' in terms of Section 3(c) of the Act. I, therefore, conclude the difference in pay between her and each of the three named comparators can only be related to her sex. In paragraph 5.13 above I have found that 'like work' does not exist between the work performed by the claimant and that performed by Mr. O'Marcaigh.

**6. RECOMMENDATION**

- 6.1** In view of my foregoing conclusions that Ms. Pauline Andrews does not perform "like work" with that performed by each of the four named male comparators in terms of Section 2(3) and Section 3 of the Anti-Discrimination (Pay) Act, 1974, I find that she does not have any entitlement to the same rate of remuneration as that paid by the Irish Times Limited to each of the four named male comparators.

As I have found that Ms. Fionnuala Stockton does perform "like work" with that performed by three of the four named comparators, I recommend that the Irish Times Limited pay her the same rate of remuneration as that paid to Mr. Dooley, Mr. Maguire and Mr. Moriarty taking account of her service as Software Co-ordinator. If the claimant has held the position of Software Co-ordinator for more than three years then payment should be made for three years in advance of the date of the claim otherwise payment should be made from the date of her appointment as Software Co-ordinator.

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Gerardine Coyle  
Equality Officer

30th June, 1997

## APPENDIX A

Details of the  
Claimants  
and the  
Comparators

**CLAIMANTS:**

Ms. Pauline Andrews	-	Salary	£25,923
Ms. Fionnuala Stockton	-	Salary	£28,544

**COMPARATORS:**

Mr. Fiachra O'Marcaigh	-	Salary	(Not Given)
Mr. Tony Dooley	-	Salary	£35,157
Mr. Mick Maguire	-	Salary	£35,157
Mr. Tom Moriarty	-	Salary	£31,422

**APPENDIX B**

Extract from the  
Company's submission  
on the issue of  
Grounds other than Sex

## GROUND'S OTHER THAN SEX

### Background:

- 1973 - The Irish Times purchased its first computer system (an IBM System Three) for accounts purpose exclusively. The computer was staff by clerical union (then ITGWU) personnel.
- 1974 - A Computer Department was set up to centralise computer services including production and commercial computer systems. The new department required a staff of 4 programmer/analysts. At the outset a mix of skills and experience was necessary. Composition skills were essential for the running of the then production systems and commercial experience was necessary for the new accounts systems.

Recruitment was by way of open competition which included computer aptitude testing. 2 men and 2 women were successful in their applications.

Both ITGWU and IPU claimed the new post of programmer/analyst should be represented by their respective unions. It was decided that each union would represent half the programmers. It was further agreed that there would be a single rate for the job. This rate was linked to the Caseroom rate at the time and was considerably higher than the then clerical rates. This link still remains today.

Caseroom employees were exclusively male at the time when the ordinal rate was struck for the analyst/programmer job. Males and females were employed from the start in that job. Therefore the rate of pay for that job is a unisex one. The rate of pay for the software development co-ordinator job is linked to that of analyst/programmer. As the analyst/programmer pay rate is a unisex one and the software development co-ordinator rate is linked to that, then by implication, the software co-ordinator rate must also be a unisex rate.

- 1991 - An editorial systems team was set up to facilitate, maintain and develop an ATEX editorial system. This team is an integral part of the editorial production process. Recruitment to the team was by way of open competition which included aptitude tests. Selection was based on aptitude, skills and experience and four staff were selected.

Prior to the recruitment of the team a rate for team members was agreed. The rate (C2) was set in context

of NUJ rate as the work was almost exclusively concerned with editorial production. There has been a unisex rate for journalist since at least the mid 60's.

- 1995** - In March 1995 the Union (by letter) sought to have analyst/programmer rates brought up to editorial systems rates. The Company replied (by letter) in April, 1995 agreeing to meet the Union on the matter. In the letter the Company set out the basis on which the advertising systems team rates were agreed and the reasons why it could not concede the Union claim.

At a meeting on 29th November, 1995 the Union claimed that the difference in pay rates was due to the fact that the systems teams were "on call". This idea was rejected by the Company as being erroneous in fact and then explained the differences between the jobs and the history of how rates were arrived at. The Union also claimed that programmers were precluded from applying for the systems team positions. The Company rejected this. At this meeting the Company said that there may be scope for amending rates should the Computer Department be re-organised. This did not happen.

- 1996** - In May, 1996 the matter was referred by the Union to the L.R.C. under the Anti-Discrimination (Pay) Act, 1974. At no time prior to the referral did the Union mention that their members were being discriminated against on grounds of sex.

This supports the Company's argument that having failed to get an increase in pay under normal industrial relations channels, S.I.P.T.U. is now using Equal Pay Legislation in an effort to achieve the same end. If the issue was one of discrimination as alleged then surely the Union representing the claimant would have seen this from the start. The fact that it did not, suggest that even S.I.P.T.U. itself believe that the claim has no substance.

Furthermore the I.P.U. which represents half of the analyst/programmers staff has not made any claim, which again supports the Company's argument that this case has no merit.

**APPENDIX C**

Job Descriptions  
for the claimants  
and the comparators  
from the  
Union and the Company



INITIAL JOB DESCRIPTION  
FOR THE POST OF  
ANALYST/PROGRAMMER & SOFTWARE CO-ORDINATOR  
FROM THE  
UNION

SECOND JOB DESCRIPTION  
FOR THE POST OF  
ANALYST/PROGRAMMER & SOFTWARE CO-ORDINATOR  
FROM THE  
UNION

JOB DESCRIPTION  
FOR THE  
EDITORIAL SYSTEMS TEAM  
FROM THE  
UNION

**JOB DESCRIPTION**  
**FOR THE POST OF**  
**ANALYST/PROGRAMMER**  
**FROM THE**  
**COMPANY**

**JOB DESCRIPTION**  
**FOR THE POST OF**  
**SOFTWARE DEVELOPMENT**  
**CO-ORDINATOR**  
**FROM THE**  
**COMPANY**

**JOB DESCRIPTION**  
**FOR THE POST OF**  
**EDITORIAL SYSTEMS TEAM MEMBER**  
**FROM THE**  
**COMPANY**

**JOB DESCRIPTION**  
**FOR THE POST OF**  
**EDITORIAL SYSTEM EDITOR**  
**FROM THE**  
**COMPANY**

**APPENDIX D**

Equality Officer's  
Job Description  
for  
Ms. Andrews



**Name:** Ms. Pauline Andrews

**Title:** Analyst/Programmer

**Organisation:** Irish Times Limited

**Salary:** £25,923 per annum

**Hours of Work:** 32 Hour week over 5 days.  
Coverage from 8.45a.m. to 6.10p.m.<sup>1</sup>

**Duties:**

*ANALYSIS*

The claimant undertakes an analysis on foot of a request for a new system or extensive changes to an existing system. The stages to an analysis include the following:

- Establishing User Requirements:

This encompasses a familiarisation exercise on the work of the area and an examination of the business practices in the area to determine if work procedures could be improved upon before computerising the area. Where a computer system is currently functioning in the area it is necessary to examine it in order to determine what features must be transferred from it to a new computer system.

- Design of a New System:

This encompasses an examination of software packages to establish which one best suits the development of the proposed system. The appropriate hardware platform is selected. The database is designed i.e. how the information is going to be stored. Input screens are designed, reports are set up and backup cycles determined.

- User Testing:

This encompasses the testing of the prototype screens and reports (developed by the claimant) by the users of the proposed system. Having examined the prototypes the users advise the claimant of any amendments or additions required and these are encompassed into the designs.

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<sup>1</sup> There must be one of five persons present throughout this period.

- Implementation:

This encompasses the setting up of the hardware infrastructure, installing all the necessary software, setting up levels of access/user profiles for each user of the proposed system, notifying operations staff to include the proposed system in the nightly backup cycle and, where necessary, writing the programs to enable existing data to be imported into the proposed system.

- Training:

This encompasses hands-on training on a one-to-one basis in the user department.

- Maintenance:

This encompasses changes/enhancements of certain features of the system as identified by the user.

#### *PROGRAMMING*

The claimant writes programs as and when required. These programs/routines are often required as interfaces between two systems and they are generally written in the 'BASIC' Programming Language.

#### *SUPPORT*

The claimant can provide support on all the commercial and editorial systems in the organisation. The amount of support that is required on the various systems varies. However, the claimant would be the first port of call on the following systems:

- Electronic Billing System
- Advertising Client Contact Management
- Newspaper Publication Sales System
- Photosales System
- Accounts System

The claimant is familiar with and can provide support on the following operating systems:

- DOS

- Microsoft Windows 3.11
- Microsoft Windows 95
- Unix
- VMS
- Novell Netware 4.1
- Novell Lite
- Novell Personal
- Atex
- Digital Pathworks

As part of her day-to-day work the claimant is involved in problem solving for example if there is a problem with the communications system into the organisation the claimant checks the telephone lines, checks the communications equipment in the organisation and also checks the EIRPAC equipment in attempting to identify the problem. If the problem is with the internal Digital equipment then the claimant contacts Digital. The claimant would liaise with Operations staff while attempting to resolve the problem.

The claimant carries out up-grades on existing systems as and when required.

#### *TRAINING*

The claimant undertakes taking training on any systems which she develops herself for example the Photosales System. These are informal training courses generally on a one-to-one basis.

#### *RESEARCH*

When a new requirement is identified, either by management in the I.T. Service Department or by a user Department or both, the claimant carries out an evaluation of packages which might suit the need at the time. One of the evaluations the claimant undertook was an evaluation of packages to accommodate the management of faxes. Having identified the package best suited to the needs the claimant would cost it both in terms of hardware and software and recommend its purchase to management in the I.T. Services Department. The

I.T. Department has discretionary expenditure of £300 while expenditure in excess of this amount must be authorised by the Managing Director. Should it be decided to up-grade a system the claimant would cost the up-grade and recommend or otherwise its implementation to management in the I.T. Services Department.

**APPENDIX E**

Equality Officer's  
Job Description  
for the  
Three Named Comparators

**Name:** Mr. Tony Dooley

**Title:** Editorial System Team Member

**Organisation:** Irish Times Limited

**Salary:** £35,157 per annum

**Hours of Work:** Work a 3 week cycle as follows:

Week of days i.e. 10.00a.m. - 6.00p.m.  
Sunday week working 16 hours on Sunday  
Week of nights i.e. 6.00p.m. - 2.00a.m.

(32 hour week)

**Reports to:** Editorial System Editor

**Background:** Compositor

**Duties:**

The comparator supports the systems used by the journalists.  
Support of these systems include the following:

*TRAINING*

The comparator undertakes refresher training courses on the use of the current Atex system. The purpose of this course is to improve the way people work. The course covers new features and some time is spent revising existing features. Courses generally take place over a morning once a month with 4 to 6 persons in attendance. Participants are asked to bring with them whatever problems they have so that these can be dealt with and the course instructor goes through the most frequently asked questions with the participants.

The comparator undertakes training of new staff members. These courses are undertaken on a one-to-one basis and the duration of the course is dependent on the knowledge of the individual. The course covers a set series of topics. There is a copy of the course manual set up on the system and this

is up-dated as required.

The comparator provides training for users of laptop computers. These courses consist of two half day sessions and cover the following:

- the text processing tool which is different to the Atex system;
- the use of the communications package;
- the setup and use of a modem;
- the re-charging of the battery;
- the careful handling of the laptop.

The planning of this course can be extremely difficult as journalists are very often unable to commit themselves for two half days. In many instances the comparator is lucky to get a journalist for a half day. Where journalists have not been trained, they require a lot of support afterwards as a result.

The comparator provides informal training for senior staff members specifically on Electronic Mail and the Worldwide Web which are set up on their home Personal Computers (PCs). The comparator must go to the staff member's home and the amount of time spent with the staff member is proportionate to their needs. There are no more than six persons in this category but it is a growing area.

The organisation supplied 14 to 16 journalists with PCs for home use. Despite their experience with the Atex system they are coming to a PC environment for the first time. The comparator trains them on the use of the mouse, on the various desktop packages and on the communications facility available to them on the PC.

The training documentation is set up on the Atex system and the comparator keeps it up-to-date.

The comparator sets up remote users with a username and password on the system. He also provides informal guidance to remote users on how to dial into the system. The comparator supplies the remote users with a set of guidelines and talks them through the process of logging into the system. There are in the region of 100 active non staff contributors set up as remote users. Access varies from several times a day to once a week to less frequently. Remote users, depending on their setups, have interactive access directly into the Atex system or they dial into a mailbox via Eirpac or Mercury on the Digital Alpha system and the information is then forwarded into the Atex system. Because of other demands the comparator must restrict the amount of time he devotes to these users.

#### *PLANNING*

This concerns the planning of pages in the paper with the editorial staff. It is important that the comparator tries to forecast as far in advance and as accurately as possible the nature of the demands. There are set events that require a certain amount of pre-planning e.g. budget, election, etc.

While the steps to be followed in pre-planning for each individual event may be different the following outline is an indication of what the comparator must do in pre-planning for 'the budget':

- \* Liaison with the relevant Department to know when a copy of the budget speech will be available;
- \* Liaison with Craig Gardiner who supply data electronically in text format for reproduction in pre-formatted tables in the Budget Supplement to the paper;
- \* Internal liaison with the Finance Editor on what is being covered in the paper;
- \* Internal liaison with sub-editor in Finance on how



the information is to be reproduced;

- \* Contact with a journalist who organises comments from outside contributors. The comparator advises the journalist that comments, from these outside contributors, should be supplied on floppy disks which have been virus checked and should be in ASCII text format only;
- \* The comparator must ensure that either himself or a member of the Editorial Systems Team is present at the time that this event is being reported on.

The comparator has set up a number of type setting formats on the Atex system. These formats are written in the Atex Composition language and are commands which drive the machine in a particular way to produce headings and tables of defined sizes. The comparator may have to change these formats from time to time. However a number of these formats are used on one-off occasions.

#### *ADVICE*

The comparator gives advice on the following:

- Table Formats
- Type Settings
- Communications to the Office from home PCs and laptops
- Conversion of word processing documents from Microsoft Word to a text editor for transmission from a PC to the Atex system
- Help Desk Queries
- The purchase of PCs for home use by staff.

#### *TROUBLE-SHOOTING*

The comparator monitors the functioning of the Atex system which is critical to the primary role of the organisation i.e. to produce output onto paper. It is essential that the Atex system is available and working properly for all those

who require to use it. In the event of a system breakdown the comparator becomes the director in the copy flow. The management of the Atex system involves:

- Monitoring Maintenance
  - . back-up
  - . file chaining and structure
  - . short-term back-up
- Monitoring System Performance
  - . checking queues
  - . diverting traffic if one queue is overtasked
  - . checking disk usage and where necessary
    - \* asking users to delete files
    - \* copying files to diskette
    - \* deleting files

**Note:** The system is designed to carry large volumes of information for short periods, it is not a long term database.

- Checking CPU (which carries up to 27 users)
  - . Checking the load during the day
  - . Balancing the load if necessary
    - (there are three different routes to the type setters)

There is a lot of fire-fighting involved in the management of the system.

#### *ORGANISATIONAL PREPARATION FOR EVENTS*

An example of events are as follows:

- Tidy Towns
- Central Applications Office (CAO)
- Young Scientists Exhibition

- Sporting Events

The comparator must ascertain what the editorial requirements are in relation to these events, for example are full or partial results to be published?

It is necessary to liaise with outsiders e.g. organising committee for the event and the internal editors covering each event. However once the requirements for an event are set up they rarely change thereafter.

*ARCHIVING*

The comparator must ensure that all intermediate versions of a story are held. It is kept on the last even numbered drive on the CPU. There is a three month audit trail after which the documents are mounted to tape and stored off-site. In the case of a liable action it is essential to be able to trace the history of each story and who has made changes to it.

*OTHER ACTIVITIES*

The comparator may be asked to attend meetings in the absence of the Editorial System Editor who would normally be in attendance.

The comparator maintains a log of problems which are reported to him.



**Name:** Mr. Mick Maguire

**Title:** Editorial System Team Member

**Organisation:** Irish Times Limited

**Salary:** £35,157 per annum

**Hours of Work:** Work a 3 week cycle as follows:

Week of days i.e. 10.00a.m. - 6.00p.m.  
Sunday week working 16 hours on Sunday  
Week of nights i.e. 6.00p.m. - 2.00a.m.

(32 hour week)

**Reports to:** Editorial System Editor

**Background:** Compositor

**Duties:**

The comparator supports the systems used by the journalists.  
Support of these systems include the following:

*TRAINING*

The comparator undertakes refresher training courses on the use of the current Atex system. The purpose of this course is to improve the way people work. The course covers new features and some time is spent revising existing features. Courses generally take place over a morning once a month with 4 to 6 persons in attendance. Participants are asked to bring with them whatever problems they have so that these can be dealt with and the course instructor goes through the most frequently asked questions with the participants.

The comparator undertakes training of new staff members. These courses are undertaken on a one-to-one basis and the duration of the course is dependent on the knowledge of the individual. The course covers a set series of topics. There is a copy of the course manual set up on the system and this

is up-dated as required.

The comparator provides training for users of laptop computers. These courses consist of two half day sessions and cover the following:

- the text processing tool which is different to the Atex system;
- the use of the communications package;
- the setup and use of a modem;
- the re-charging of the battery;
- the careful handling of the laptop.

The planning of this course can be extremely difficult as journalists are very often unable to commit themselves for two half days. In many instances the comparator is lucky to get a journalist for a half day. Where journalists have not been trained, they require a lot of support afterwards as a result.

The comparator provides informal training for senior staff members specifically on Electronic Mail and the Worldwide Web which are set up on their home Personal Computers (PCs). The comparator must go to the staff member's home and the amount of time spent with the staff member is proportionate to their needs. There are no more than six persons in this category but it is a growing area.

The organisation supplied 14 to 16 journalists with PCs for home use. Despite their experience with the Atex system they are coming to a PC environment for the first time. The comparator trains them on the use of the mouse, on the various desktop packages and on the communications facility available to them on the PC.

The training documentation is set up on the Atex system and the comparator keeps it up-to-date.

The comparator sets up remote users with a username and password on the system. He also provides informal guidance to remote users on how to dial into the system. The comparator supplies the remote users with a set of guidelines and talks them through the process of logging into the system. There are in the region of 100 active non staff contributors set up as remote users. Access varies from several times a day to once a week to less frequently. Remote users, depending on their setups, have interactive access directly into the Atex system or they dial into a mailbox via Eirpac or Mercury on the Digital Alpha system and the information is then forwarded into the Atex system. Because of other demands the comparator must restrict the amount of time he devotes to these users.

#### *PLANNING*

This concerns the planning of pages in the paper with the editorial staff. It is important that the comparator tries to forecast as far in advance and as accurately as possible the nature of the demands. There are set events that require a certain amount of pre-planning e.g. budget, election, etc.

While the steps to be followed in pre-planning for each individual event may be different the following outline is an indication of what the comparator must do in pre-planning for 'the budget':

- \* Liaison with the relevant Department to know when a copy of the budget speech will be available;
- \* Liaison with Craig Gardiner who supply data electronically in text format for reproduction in pre-formatted tables in the Budget Supplement to the paper;
- \* Internal liaison with the Finance Editor on what is being covered in the paper;
- \* Internal liaison with sub-editor in Finance on how

the information is to be reproduced;

- \* Contact with a journalist who organises comments from outside contributors. The comparator advises the journalist that comments, from these outside contributors, should be supplied on floppy disks which have been virus checked and should be in ASCII text format only;
- \* The comparator must ensure that either himself or a member of the Editorial Systems Team is present at the time that this event is being reported on.

The comparator has set up a number of type setting formats on the Atex system. These formats are written in the Atex Composition language and are commands which drive the machine in a particular way to produce headings and tables of defined sizes. The comparator may have to change these formats from time to time. However a number of these formats are used on one-off occasions.

#### *ADVICE*

The comparator gives advice on the following:

- Table Formats
- Type Settings
- Communications to the Office from home PCs and laptops
- Conversion of word processing documents from Microsoft Word to a text editor for transmission from a PC to the Atex system
- Help Desk Queries
- The purchase of PCs for home use by staff.

#### *TROUBLE-SHOOTING*

The comparator monitors the functioning of the Atex system which is critical to the primary role of the organisation i.e. to produce output onto paper. It is essential that the Atex system is available and working properly for all those



who require to use it. In the event of a system breakdown the comparator becomes the director in the copy flow. The management of the Atex system involves:

- Monitoring Maintenance
  - . back-up
  - . file chaining and structure
  - . short-term back-up
- Monitoring System Performance
  - . checking queues
  - . diverting traffic if one queue is overtasked
  - . checking disk usage and where necessary
    - \* asking users to delete files
    - \* copying files to diskette
    - \* deleting files

**Note:** The system is designed to carry large volumes of information for short periods, it is not a long term database.

- Checking CPU (which carries up to 27 users)
  - . Checking the load during the day
  - . Balancing the load if necessary
    - (there are three different routes to the type setters)

There is a lot of fire-fighting involved in the management of the system.

#### *ORGANISATIONAL PREPARATION FOR EVENTS*

An example of events are as follows:

- Tidy Towns
- Central Applications Office (CAO)

- Young Scientists Exhibition
- Sporting Events

The comparator must ascertain what the editorial requirements are in relation to these events, for example are full or partial results to be published?

It is necessary to liaise with outsiders e.g. organising committee for the event and the internal editors covering each event. However once the requirements for an event are set up they rarely change thereafter.

#### *ARCHIVING*

The comparator must ensure that all intermediate versions of a story are held. It is kept on the last even numbered drive on the CPU. There is a three month audit trail after which the documents are mounted to tape and stored off-site. In the case of a liable action it is essential to be able to trace the history of each story and who has made changes to it.

#### *OTHER ACTIVITIES*

The comparator may be asked to attend meetings in the absence of the Editorial System Editor who would normally be in attendance.

The comparator maintains a log of problems which are reported to him.



**Name:** Mr. Tom Moriarty

**Title:** Editorial System Team Member

**Organisation:** Irish Times Limited

**Salary:** £31,422 per annum

**Hours of Work:** Work a 3 week cycle as follows:

Week of days i.e. 10.00a.m. - 6.00p.m.  
Sunday week working 16 hours on Sunday  
Week of nights i.e. 6.00p.m. - 2.00a.m.

(32 hour week)

**Reports to:** Editorial System Editor

**Background:** Information Technology Services  
Department

**Duties:**

The comparator supports the systems used by the journalists.  
Support of these systems include the following:

*TRAINING*

The comparator undertakes refresher training courses on the use of the current Atex system. The purpose of this course is to improve the way people work. The course covers new features and some time is spent revising existing features. Courses generally take place over a morning once a month with 4 to 6 persons in attendance. Participants are asked to bring with them whatever problems they have so that these can be dealt with and the course instructor goes through the most frequently asked questions with the participants.

The comparator undertakes training of new staff members. These courses are undertaken on a one-to-one basis and the duration of the course is dependent on the knowledge of the individual. The course covers a set series of topics. There is a copy of the course manual set up on the system and this

is up-dated as required.

The comparator provides training for users of laptop computers. These courses consist of two half day sessions and cover the following:

- the text processing tool which is different to the Atex system;
- the use of the communications package;
- the setup and use of a modem;
- the re-charging of the battery;
- the careful handling of the laptop.

The planning of this course can be extremely difficult as journalists are very often unable to commit themselves for two half days. In many instances the comparator is lucky to get a journalist for a half day. Where journalists have not been trained, they require a lot of support afterwards as a result.

The comparator provides informal training for senior staff members specifically on Electronic Mail and the Worldwide Web which are set up on their home Personal Computers (PCs). The comparator must go to the staff member's home and the amount of time spent with the staff member is proportionate to their needs. There are no more than six persons in this category but it is a growing area.

The organisation supplied 14 to 16 journalists with PCs for home use. Despite their experience with the Atex system they are coming to a PC environment for the first time. The comparator trains them on the use of the mouse, on the various desktop packages and on the communications facility available to them on the PC.

The training documentation is set up on the Atex system and the comparator keeps it up-to-date.

The comparator sets up remote users with a username and password on the system. He also provides informal guidance to remote users on how to dial into the system. The comparator supplies the remote users with a set of guidelines and talks them through the process of logging into the system. There are in the region of 100 active non staff contributors set up as remote users. Access varies from several times a day to once a week to less frequently. Remote users, depending on their setups, have interactive access directly into the Atex system or they dial into a mailbox via Eirpac or Mercury on the Digital Alpha system and the information is then forwarded into the Atex system. Because of other demands the comparator must restrict the amount of time he devotes to these users.

#### *PLANNING*

This concerns the planning of pages in the paper with the editorial staff. It is important that the comparator tries to forecast as far in advance and as accurately as possible the nature of the demands. There are set events that require a certain amount of pre-planning e.g. budget, election, etc.

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- \* Internal liaison with the Finance Editor on what is being covered in the paper;
- \* Internal liaison with sub-editor in Finance on how

the information is to be reproduced;

- \* Contact with a journalist who organises comments from outside contributors. The comparator advises the journalist that comments, from these outside contributors, should be supplied on floppy disks which have been virus checked and should be in ASCII text format only;
- \* The comparator must ensure that either himself or a member of the Editorial Systems Team is present at the time that this event is being reported on.

The comparator has set up a number of type setting formats on the Atex system. These formats are written in the Atex Composition language and are commands which drive the machine in a particular way to produce headings and tables of defined sizes. The comparator may have to change these formats from time to time. However a number of these formats are used on one-off occasions.

#### *ADVICE*

The comparator gives advice on the following:

- Table Formats
- Type Settings
- Communications to the Office from home PCs and laptops
- Conversion of word processing documents from Microsoft Word to a text editor for transmission from a PC to the Atex system
- Help Desk Queries
- The purchase of PCs for home use by staff.

#### *TROUBLE-SHOOTING*

The comparator monitors the functioning of the Atex system which is critical to the primary role of the organisation i.e. to produce output onto paper. It is essential that the Atex system is available and working properly for all those

who require to use it. In the event of a system breakdown the comparator becomes the director in the copy flow. The management of the Atex system involves:

- Monitoring Maintenance
  - . back-up
  - . file chaining and structure
  - . short-term back-up
- Monitoring System Performance
  - . checking queues
  - . diverting traffic if one queue is overtasked
  - . checking disk usage and where necessary
    - \* asking users to delete files
    - \* copying files to diskette
    - \* deleting files

**Note:** The system is designed to carry large volumes of information for short periods, it is not a long term database.

- Checking CPU (which carries up to 27 users)
  - . Checking the load during the day
  - . Balancing the load if necessary
    - (there are three different routes to the type setters)

There is a lot of fire-fighting involved in the management of the system.

#### *ORGANISATIONAL PREPARATION FOR EVENTS*

An example of events are as follows:

- Tidy Towns
- Central Applications Office (CAO)



- Young Scientists Exhibition
- Sporting Events

The comparator must ascertain what the editorial requirements are in relation to these events, for example are full or partial results to be published?

It is necessary to liaise with outsiders e.g. organising committee for the event and the internal editors covering each event. However once the requirements for an event are set up they rarely change thereafter.

#### *ARCHIVING*

The comparator must ensure that all intermediate versions of a story are held. It is kept on the last even numbered drive on the CPU. There is a three month audit trail after which the documents are mounted to tape and stored off-site. In the case of a liable action it is essential to be able to trace the history of each story and who has made changes to it.

#### *OTHER ACTIVITIES*

The comparator may be asked to attend meetings in the absence of the Editorial System Editor who would normally be in attendance.

The comparator would develop small systems in Microsoft Access for the Editors/Journalists should such a system be requested.

The comparator maintains a log of problems which are reported to him.



**APPENDIX F**

Equality Officer's  
Job Description  
for  
Ms. Stockton

**Name:** Ms. Fionnuala Stockton

**Title:** Software Co-ordinator

**Organisation:** Irish Times Limited

**Salary:** £28,544 per annum

**Hours of Work:** 32 Hour week over 5 days.  
Coverage from 8.45a.m. to 6.10p.m.<sup>2</sup>

**Duties:**

There are two components to the claimant's job. The first and foremost is her role as Software Co-ordinator. When she has completed these tasks, she undertakes analyst/programmer functions.

***Software Co-ordinator***

The Information Technology (I.T.) Department is the support area for information technology in the organisation. The I.T. Department is responsible for maintaining certain systems around the organisation. From time to time work requests are received for new systems or modifications to existing systems. The need for modifications might arise due to a problem which has occurred or due to changes in user requirements.

There are also less frequent requests for informal training on the various systems which are being maintained. These requests can be made formally by a Department head or informally to know if something would be possible.

The primary role of the claimant is to allocate resources in order to complete these tasks. Other tasks undertaken by the claimant include the following:

- Organises and attends project meetings with other Departments;
- Undertakes resource planning exercises for

<sup>2</sup> There must be one of five persons present throughout this period.

future projects;

- Keeps up-to-date with future technologies;
- Deputises for the I.T. Manager when requested;
- Formally liaises with the Operations Section;
- Monitors attendance and ensures adequate cover;
- Recommends training courses and seminars for the other analysts/programmers.

### ***Analyst/Programmer***

#### ***ANALYSIS***

The claimant undertakes an analysis on foot of a request for a new system. The stages to an analysis include the following:

- Establishing User Requirements:

This encompasses a familiarisation exercise on the work of the area and an examination of the business practices in the area to determine if work procedures could be improved upon before computerising the area. Where a computer system is currently functioning in the area it is necessary to examine it in order to determine what features must be transferred from it to a new computer system.

- Design of a New System:

This encompasses an examination of software packages to establish which one best suits the development of the proposed system. The appropriate hardware platform is selected. The database is designed i.e. how the information is going to be stored. Input screens are designed, reports are set up and backup cycles determined.

- User Testing:

This encompasses the testing of the prototype screens and reports (developed by the claimant) by the users of the proposed system. Having examined the prototypes the users advise the claimant of any amendments or additions required and these are encompassed into the designs.

- Implementation:

This encompasses the setting up of the hardware infrastructure, installing all the necessary software, setting up levels of access/user profiles for each user of the proposed system, notifying operations staff to include the proposed system in the nightly backup cycle and, where necessary, writing the programs to enable existing data to be imported into the proposed system.

- Training:

This encompasses hands-on training on a one-to-one basis in the user department.

- Maintenance:

This encompasses changes/enhancements of certain features of the system as identified by the user.

#### *PROGRAMMING*

The claimant writes programs as and when required. These programs/routines are often required as interfaces between two systems and they are generally written in the 'BASIC' Programming Language.

#### *SUPPORT*

The claimant can provide support on all the commercial and editorial systems in the organisation. The amount of support that is required on the various systems varies. However, the claimant would be the first port of call on the following systems:

- Ledger Systems
- Circulation Despatch System
- Contributors System
- Payroll System
- Personnel System
- Electronic Mail System
- Executive Information Systems (Client/Server)
- Stock Control
- Direct Debit System
- Networks
- Credit Union
- Marketing Literary Awards System
- Comm-sys

The claimant is familiar with and can provide support on the following operating systems:

- DOS
- Microsoft Windows 3.11
- Microsoft Windows 95
- Unix
- VMS
- Novell Netware
- Novell Lite
- Novell Personal
- Digital Pathworks

The claimant carries out database administration on the following databases:

- Advertising Database
- Contributors Database
- Racing Services Database
- Circulation Statistics Database

#### *TRAINING*

The claimant is responsible for end-user training. There are three categories of end-user as follows:

- Colleagues in the I.T. Services Department
- Users
- Staff in the Operations Department

Training involves showing users how to use applications including existing and new features. The claimant trains users in the use of the Personal Computer (PC) and in the use of electronic mail. The courses are frequently done on a one-to-one basis at a person's desk. On occasion the claimant may have to train a group of staff. These courses would take place within the user area and would last for a period of 1 to 1½ hours.





**APPENDIX G**

Equality Officer's Analysis  
of Ms. Stockton and the  
three named male  
comparators  
under  
Section 3(c) of the 1974  
Act

## ANALYSIS UNDER SECTION 3(C) OF THE 1974 ACT

### Skill:

The claimant must know the competencies of the staff in the I.T. Services Unit so that tasks are assigned to the person best able to complete them. While the claimant and the named comparator work on different computer technologies (i.e. hardware and software) I am satisfied that they both require similar type skills to perform their tasks e.g. provide support, monitor performance and maintain backups. The claimant, however, has acquired the additional skills needed to undertake tasks associated with undertaking an analysis to define the requirements of a new computer system. She also has the ability to write interface programs in the 'BASIC' Programming Language. The claimant has the skills necessary to work with a number of operating systems. The named comparator has the skills associated with making changes to the type setting formats on the Atex system. He also has the skills associated with planning the pages in the newspaper which he does in liaison with the editorial staff and other people and organisations.

*I find that the demands made on the claimant, in terms of skill, are higher than those made on the comparator.*

### Physical Effort:

Both the claimant and the named comparator may need to go from one area to another when there are computer problems which they have to resolve. Furthermore in solving problems they may have to move the computers in order to access cables connected to the back of the equipment.

*I consider that the demands made on the claimant and on the comparator, in terms of physical effort, are equal.*

#### Mental Effort:

The claimant must decide on who best to undertake a particular work request. To enable her to do this she must be aware of the knowledge levels among the staff in the I.T. Services Department. The claimant must also monitor the progress of work requests. The claimant needs to be aware of new technologies becoming available in the marketplace in the context of the Company's requirements. Both the claimant and the named comparator must trace computer problems when they arise. The claimant must ensure that when she is specifying a new system she correctly encompasses user requirements. The named comparator must ensure that the correct type setting formats are used for the different events.

*I find that the demands made on the claimant, in terms of mental effort, are greater than those made on the comparator.*

#### Responsibility:

The claimant is responsible for assigning work requests for new systems or modifications to existing systems to staff in the I.T. Services Unit. She is also responsible for ensuring that these tasks are completed satisfactorily. The claimant is responsible for ensuring adequate cover is provided in the Department. She is also responsible for recommending attendance by Analyst/Programmers at training courses and seminars. The claimant deputises for the I.T. Manager as and when the need arises. Both the claimant and the named comparator are responsible for the provision of support on computer systems. They are also responsible for ensuring that they are functioning properly. The claimant is responsible for any systems analysis she undertakes and the onus is on her to provide a system which meets user requirements. The named comparator is responsible for the smooth pre-planning necessary for major events e.g. election, budget, etc. and also annual events e.g. Young Scientist

competition.

*I find that the demands made on the claimant, in terms of responsibility, are greater than those made on the comparator.*

Working Conditions:

Both the claimant and the comparator work in an office environment. The claimant works a 32 hour week over 5 days. She works during normal office hours. While the named comparator also works a 32 hour week, he is, however, required to work to a three week cycle. This comprises a week of days from 10.00a.m. to 6.00p.m., a Sunday week working 16 hours on the Sunday and a week of nights working from 6.00p.m. to 2.00p.m.

*I find that the demands made on the comparator, in terms of working conditions, are greater than those made on the claimant.*

In summary I find that the demands made on the claimant and the comparator, in terms of physical effort, are equal. In terms of skill, mental effort and responsibility I find that the demands made on the claimant are greater than those made on the comparator. I also find that the demands made on the comparator, in terms of working conditions, are greater than those made on the claimant.

***I am, therefore, satisfied that the overall demands made on the claimant are higher than those made on the comparator.***

**APPENDIX H**

Equality Officer's  
Job Description  
for  
Mr. O'Marcaigh

**Name:** Mr. Fiachra O'Marcaigh

**Title:** Editorial System Editor

**Organisation:** Irish Times Limited

**Salary:** Not Given

**Hours of Work:** 10.00a.m. - 6.00p.m. (32 hour week)  
Works the night shift when one of the three Editorial System team members is on leave.

**Reports to:** Managing Editor (Production)

**Responsible for:** 3 staff (Editorial System Team Members)

**Background:** Journalist/Sub-Editor

**Duties:**

The comparator supports the systems used by the journalists.  
Support of these systems include the following:

*TRAINING*

The comparator undertakes refresher training courses on the use of the current Atex system. The purpose of this course is to improve the way people work. The course covers new features and some time is spent revising existing features. Courses generally take place over a morning once a month with 4 to 6 persons in attendance. Participants are asked to bring with them whatever problems they have so that these can be dealt with and the course instructor goes through the most frequently asked questions with the participants.

The comparator undertakes training of new staff members. These courses are undertaken on a one-to-one basis and the duration of the course is dependent on the knowledge of the individual. The course covers a set series of topics. There is a copy of the course manual set up on the system and this is up-dated as required.

The comparator provides training for users of laptop computers. These courses consist of two half day sessions and cover the following:

- the text processing tool which is different to the Atex system;
- the use of the communications package;
- the setup and use of a modem;
- the re-charging of the battery;
- the careful handling of the laptop.

The planning of this course can be extremely difficult as journalists are very often unable to commit themselves for two half days. In many instances the comparator is lucky to get a journalist for a half day. Where journalists have not been trained, they require a lot of support afterwards as a result.

The comparator provides informal training for senior staff members specifically on Electronic Mail and the Worldwide Web which are set up on their home Personal Computers (PCs). The comparator must go to the staff member's home and the amount of time spent with the staff member is proportionate to their needs. There are no more than six persons in this category but it is a growing area.

The organisation supplied 14 to 16 journalists with PCs for home use. Despite their experience with the Atex system they are coming to a PC environment for the first time. The comparator trains them on the use of the mouse, on the various desktop packages and on the communications facility available to them on the PC.

The training documentation is set up on the Atex system and the comparator keeps it up-to-date.

The comparator sets up remote users with a username and password on the system. He also provides informal guidance to remote users on how to dial into the system. The comparator supplies the remote users with a set of guidelines and talks them through the process of logging into the system. There are in the region of 100 active non staff contributors set up as remote users. Access varies from several times a day to once a week to less frequently. Remote users, depending on their setups, have interactive access directly into the Atex system or they dial into a mailbox via Eirpac or Mercury on the Digital Alpha system and the information is then forwarded into the Atex system. Because of other demands the comparator must restrict the amount of time he devotes to these users.

#### *PLANNING*

This concerns the planning of pages in the paper with the editorial staff. It is important that the comparator tries to forecast as far in advance and as accurately as possible the nature of the demands. There are set events that require a certain amount of pre-planning e.g. budget, election, etc.

The following outline is an indication of what is involved in pre-planning for an event e.g. 'the budget':

- \* Liaison with the relevant Department to know when a copy of the budget speech will be available;
- \* Liaison with Craig Gardiner who supply data electronically in text format for reproduction in pre-formatted tables in the Budget Supplement to the paper;
- \* Internal liaison with the Finance Editor on what is being covered in the paper;
- \* Internal liaison with sub-editor in Finance on how the information is to be reproduced;
- \* Contact with a journalist who organises comments



from outside contributors. The comparator advises the journalist that comments, from these outside contributors, should be supplied on floppy disks which have been virus checked and should be in ASCII text format only;

- \* The comparator must ensure that either himself or a member of the Editorial Systems Team is present at the time that this event is being reported on.

The comparator has set up a number of type setting formats on the Atex system. These formats are written in the Atex Composition language and are commands which drive the machine in a particular way to produce headings and tables of defined sizes. The comparator may have to change these formats from time to time. However a number of these formats are used on one-off occasions.

#### *ADVICE*

The comparator gives advice on the following:

- Table Formats
- Type Settings
- Communications to the Office from home PCs and laptops
- Conversion of word processing documents from Microsoft Word to a text editor for transmission from a PC to the Atex system
- Help Desk Queries
- The purchase of PCs for home use by staff.

#### *TROUBLE-SHOOTING*

The comparator monitors the functioning of the Atex system which is critical to the primary role of the organisation i.e. to produce output onto paper. It is essential that the Atex system is available and working properly for all those who require to use it. The management of the Atex system involves:

- Monitoring Maintenance
  - . back-up
  - . file chaining and structure
  - . short-term back-up
  
- Monitoring System Performance
  - . checking queues
  - . diverting traffic if one queue is overtasked
  - . checking disk usage and where necessary
    - \* asking users to delete files
    - \* copying files to diskette
    - \* deleting files

**Note:** The system is designed to carry large volumes of information for short periods, it is not a long term database.

- Checking CPU (which carries up to 27 users)
  - . Checking the load during the day
  - . Balancing the load if necessary
    - (there are three different routes to the type setters)

There is a lot of fire-fighting involved in the management of the system.

#### *ORGANISATIONAL PREPARATION FOR EVENTS*

An example of events are as follows:

- Tidy Towns
- Central Applications Office (CAO)
- Young Scientists Exhibition
- Sporting Events

The comparator must ascertain what the editorial requirements are in relation to these events, for example are full or partial results to be published?

It is necessary to liaise with outsiders e.g. organising committee for the event and the internal editors covering each event. However once the requirements for an event are set up they rarely change thereafter.

#### *ARCHIVING*

The comparator must ensure that all intermediate versions of a story are held. It is kept on the last even numbered drive on the CPU. There is a three month audit trail after which the documents are mounted to tape and stored off-site. In the case of a liable action it is essential to be able to trace the history of each story and who has made changes to it.

#### *OTHER RESPONSIBILITIES*

The comparator is the person who is overall responsible for the success or failure of the Department. He sets the goals for the Editorial Systems team. Furthermore he organises the training of each member of the team and if this necessitates a change in team member's attendance the comparator organises this.

The comparator is also responsible for the budget which comprises three elements namely

- salaries
- discretionary (i.e. training and travel)
- capital (i.e. new and replacement equipment)

The comparator has a budget of £200,000 which covers salaries, allowances, training courses and travel. £150,000 of this budget would cover salaries and allowances. The comparator would decide on how the remainder should be spent i.e. what training courses both he and his staff should attend and what travel they should undertake. The comparator decides what new equipment is required by the team to carry

out their work and what equipment needs to be replaced. Last year he spend approximately £55,000 capital investment.

The comparator approves annual leave and is responsible for resolving any conflict which may arise over leave. This sometimes necessitates calling on former members of the Editorial Systems team. The comparator is also responsible for recruitment to the team.

The comparator attends a number of meetings as follows:

- User Group meetings in relation to the Atex system
- Major Newspaper Industry Research Association
- In-house Operation Meetings (once a week)
- Main Editors Planning Conference (once a month)
- In-house Networking Committee

The comparator must keep abreast with activities in the marketplace to ensure that he is familiar with all the facilities that could benefit the organisation.

**APPENDIX I**

Equality Officer's Analysis  
of the additional duties performed by  
Ms. Stockton and Mr. O'Marcaigh  
under  
Section 3(c) of the 1974 Act

ADDITIONAL DUTIES ASSIGNED TO MS. STOCKTON AND MR.  
O'MARCAIGH

ANALYSIS UNDER SECTION 3(C) OF THE 1974 ACT

Skill:

The claimant must know the competencies of the staff in the I.T. Services Unit so that tasks are assigned to the person best able to complete them.

The comparator must have some accounting skills in order to maintain the budgets for the Editorial Systems Team. He must know the competencies required of potential staff when recruiting staff for the team.

I find that the demands made on the comparator, in terms of skill, are higher than those made on the claimant.

Physical Effort:

As the claimant and the comparator work in an office environment there are no extraordinary physical demands required of either. I, therefore, find that the demands made on the claimant and on the comparator in terms of physical effort are equal.

Mental Effort:

The claimant must decide on who best to undertake a particular work request. To enable her to do this she must be aware of the knowledge levels among the staff in the I.T. Services Department. The claimant must also monitor the progress of work requests. The claimant needs to be aware of new technologies becoming available in the marketplace in the context of the Company's requirements.

The comparator must monitor the goals of the team. He must monitor the budget to ensure that expenditure is within budget. The comparator must monitor attendance to ensure that adequate cover is maintained when staff are on leave or at times of major events e.g. budget day, election day, etc. He must also keep abreast of activities in the marketplace to ensure that he is aware of facilities that could improve the functioning either of the team or the editorial staff in general.

I find that the demands made on the comparator, in terms of mental effort, are greater than those made on the claimant.

#### Responsibility:

The claimant is responsible for assigning work requests for new systems or modifications to existing systems to staff in the I.T. Services Unit. She is also responsible for ensuring that these tasks are completed satisfactorily. The claimant is responsible for ensuring adequate cover is provided in the Department. She is also responsible for recommending attendance by Analyst/Programmers at training courses and seminars.

The comparator is responsible for setting the goals of the team. He has responsibility for three staff members. This entails granting annual leave and resolving any conflict which may arise over leave. The comparator is responsible for organising cover by former staff members when current staff are unavailable due to unforeseen circumstances e.g. sick leave. He is also responsible for recruitment of staff to the team. The comparator is responsible for the budget. This includes wages, a discretionary element i.e. travel and training and capital expenditure on the acquisition of new equipment and the replacement of existing equipment for the team. The comparator has responsibility for implementing

facilities which would improve procedures both for the team and the editorial staff in general.

I find that the demands made on the comparator, in terms of responsibility, are greater than those made on the claimant.

Working Conditions:

Both the claimant and the comparator work in an office environment. I find that the demands made on the claimant and on the comparator, in terms of working conditions, are equal.

*In summary I find that the demands made on the claimant and the comparator, in terms of physical effort and working conditions, are equal. In terms of skill, mental effort and responsibility I find that the demands made on the comparator are greater than those made on the claimant.*

***I am, therefore, satisfied that the demands made on the comparator in relation to his additional duties are higher than those made on the claimant with regard to her additional duties.***