

ANTI-DISCRIMINATION (PAY) ACT, 1974

EQUALITY OFFICER'S RECOMMENDATION NO: EP 08/1997

P A R T I E S

31 Named Female Employees
(Represented by S.I.P.T.U.)

AND

St. Patrick's College
(Represented by I.B.E.C.)

File No: EP 06/1996 & EP 17/1996

1 DISPUTE

- 1.1** This dispute concerns a claim by the Union on behalf of 31 named female claimants that they are entitled under the terms of the Anti-Discrimination (Pay) Act, 1974 to the same rate of remuneration as that paid to the named comparator on the highest rate of remuneration and failing that to be paid the same rate as the other named comparator on the lower rate.

2 BACKGROUND

- 2.1** St Patrick's College Drumcondra, is a College of Education which caters for approximately 1,000 full-time students. The College employs some 200 staff. The claimants involved in this claim are employed by the College either in the catering, housekeeping or cleaning areas. The named comparator Mr. Noel Judd is employed as a Caretaker and the other named comparator Mr. John Hogan is employed as a Maintenance person.
- 2.2** The claimants are made up of both part-time and full-time employees and at the date of the claim were paid at the hourly rate of £3.70, with the exception of those claimants on Cashier duties who were paid at a higher rate in respect of these duties but this rate is lower than the rate of either of the comparators. The comparators are both full-time employees and Mr. Judd is paid £5.35 per hour, while Mr. Hogan is on the hourly rate of £4.76.
- 2.3** The claimants through their union requested in January, 1996 an investigation by an Equality Officer of the dispute. The referral form named thirty claimants and

three comparators and it was assigned case number EP 06/1996. In the course of the Equality Officer's investigation of this claim a preliminary joint hearing with the parties was held on the 25th April, 1996. At this hearing the union indicated that it had omitted the name of a claimant and that an additional referral form would be submitted. This form was received on the 29th. April, 1996 and it was assigned case number EP 17/1996.

- 2.4** The Equality Officer carried out detailed job inspections on the 08th October, 1996 and again on the 18th. October, 1996. The union in its written submission indicated that the comparison was between the thirty-one claimants and two comparators, not three as shown in the referral forms. The submission further indicated that the claims lay only under Section 3(c) of the Act. The Equality Officer held a final joint hearing with the parties on the 16th. January, 1997 in respect of the cases. In June, 1997 the Equality Officer received additional information which he had sought from the College at the final hearing.

3 SUMMARY OF CLAIMANTS' CASE

- 3.1** The Union contends on behalf of the claimants that their work is at least of equal value to that of the comparators within the meaning of Section 3(c) of the Act and, consequently, they are entitled to receive the same rate of remuneration as that paid to the comparator on the highest rate of remuneration and failing that to be paid the same rate as the comparator on the lower rate. A list of the names of the thirty-one claimants

is at Appendix 1.

- 3.2** Section 3 of the Act provides at sub sections (c) that:-
Two persons shall be regarded as employed on like work:-

(c) *"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."*

- 3.3** The Union submits that the duties performed by the claimants as outlined in their job descriptions are equal in value, as defined at Section 3(c) of the Act, to that of the two comparators. Descriptions of the claimants' work are at Appendices 2 to 8. The Union's job descriptions of Mr. Judd and Mr. Hogan are at appendices 9 and 10 respectively.

- 3.4** It is contended by the Union that the demands placed on the claimants are equally demanding, require the same skills, physical effort, mental effort, responsibility, with similar working conditions as the comparators and, by virtue of their work, justify the claim for the higher rates of pay as that which apply in the first instance to Mr. Judd and if no entitlement is found there then with Mr. Hogan. The Union's full submissions on work of equal value are contained in Appendices 11 to 17.

4 SUMMARY OF RESPONDENT'S CASE

- 4.1** The College disputes that the claimants and the two

comparators are doing like work and they are therefore not entitled to equal pay. The respondent's descriptions of the claimants' and the comparators' jobs are at Appendices 18 to 21.

- 4.2** The College contests that like work as defined by Section 3(c) of the Anti-Discrimination (Pay) Act, 1974, exists between the jobs of the claimant and the named comparators at the date of claim.

4.3 EQUAL IN VALUE

Under Section 3(c), of the 1974 Act, the two jobs are held to involve 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".

The Company contends that the claimants do not perform work of equal value with that of the comparators. The respondent's full submission on work of equal value is at Appendix 22.

5 CONCLUSIONS OF THE EQUALITY OFFICER

5.1 In making my recommendation in this case I have taken into account all of the submissions, written and oral, made to me by the parties to this case and also the work inspections which I carried out on the work of claimants and the comparators. I am satisfied from my inspections of the work of the comparators and the work of the claimants, that the descriptions submitted by the parties fairly reflect the jobs of the employees involved in this claim. The detailed job descriptions of the claimants and the comparators, as prepared by the Union are at Appendices 2 to 10. The job descriptions submitted by the College are at Appendices 18 to 21.

5.2 As all of the jobs in question involve different tasks through out the working day it was not practical to assess the jobs purely by observation. Accordingly, I relied to an extent on claimants and the two comparators to explain their work to me in detail through an interview format. This they did and following the interviews I went with jobholders, accompanied by the claimants' Union representative and the College's representative, to their different work locations where they each outlined their various duties.

5.3 In order to decide the question of whether or not the work of any of the claimants and that of the comparator Mr. Judd, or Mr. Hogan as the case may be, is like work I must consider whether or not their work is equal in value within the meaning of Section 3(c) of the Act. 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."

5.4 I note that one of the comparator's Mr. Judd is employed as a Caretaker and that the second comparator Mr. Hogan is employed as a Maintenance person and that Mr. Judd is on the hourly rate of £5.35 while Mr. Hogan's hourly rate is £4.76. Accordingly for the purpose of

my comparisons I will initially compare the claimants' work with the work of the comparator on the highest hourly rate.

5.5 There are thirty-one claimants party to this case and I note that the employment of the claimants, who are described by the parties as Catering Assistants terminated on the 18th October, 1996, with the exception of Ms. Margaret Mills whose employment ended on the 20th June, 1995 and Ms. Marie McEvoy who was retained after the 18th October, 1996 as a Cleaner. I further note that the claimants are/were on the same hourly rate of £3.70, with the exception of those Catering Assistants who were required to carry out Cashier duties. It is not in dispute that those Catering Assistants, who performed Cashier duties were paid an additional £1 hour in respect of those duties i.e. £4.70 per hour and that Ms. Mills who was solely engaged in Cashier duties was paid at the hourly rate of £4.79.

5.6 I have for the purposes of my job comparisons divided the jobs of the claimants into four categories of Cleaners, Housekeeping (Students' residences), Housekeepers and Catering Assistants. In my job comparisons I have taken account of every aspect of the work performed by all of the claimants and each of the comparators in relation to "skill", "physical" and "mental effort", "responsibility" and "working conditions". I propose initially to compare the work of each of the claimants in each of the categories i.e Cleaners, Housekeeping, Housekeepers, Catering Assistants, starting with the Cleaners, with the work performed by the Caretaker Mr. Judd.

CLEANERS - VS - CARETAKER

5.7 I note that are differences occur in the work of the Cleaners and that their work takes them to different locations e.g the main building, the new building, the schools and the church. However I am satisfied from the job descriptions received and with the benefit of my work inspections that the work differences of the Cleaners are of small importance to their work as a whole and that they are employed on like work with each other, in terms of Section 3(b) of the Act. Accordingly for the purpose of my job comparison it is sufficient to compare one of

the claimants here with the Caretaker. I have chosen Ms. C Redmond to carry out this comparison.

- 5.8** Details of my comparison between the work of Ms. C Redmond and the Caretaker, together with the names of the relevant claimants are at Appendix A (page 16). I have found here that similar demands are placed on Ms. Redmond and on the comparator with regard to "mental effort" and "working conditions" and that greater demands are placed on her in terms of "physical effort". In relation to "skill", and "responsibility" I have found that greater demands are on the comparator than on the claimant. Accordingly, taking into account the overall demands on Ms. Redmond and the comparator, I find that the work performed by her is not "like work" with that performed by Mr. Judd for the purposes of Section 3(c) of the Act. As I have found that Ms. Redmond does not perform work of equal value with of Mr. Judd it follows that each of the claimants, who are Cleaners, do not perform "like work" with the Caretaker for the purposes of section 3 (c) of the Act.

HOUSEKEEPING (STUDENTS' RESIDENCES)- VS - CARETAKER

- 5.9** I am satisfied from the job descriptions received and with the benefit of my work inspections that any work differences of those claimants in Housekeeping, who work exclusively in the students residences, are of small importance to their work as a whole and that they are employed on like work with each other, in terms of Section 3(b) of the Act. Accordingly for the purpose of my job comparison it is sufficient to compare one of the claimants here with the Caretaker. I have chosen Ms. M. Hedderman to carry out this comparison.
- 5.10** Details of my comparison between the work of Ms. Hedderman and the Caretaker, together with the names of the relevant claimants are at Appendix B (page 20). I have found here that similar demands are placed on the claimant and on the comparator with regard to "mental effort" and "working conditions" and that greater demands are placed her in terms of "physical effort". In relation to "skill", and "responsibility" I have found that greater demands are on the comparator than on Ms. Hedderman. Accordingly, taking into account the overall demands

on her and the comparator, I find that the work performed by her is not "like work" with that performed by Mr. Judd for the purposes of Section 3(c) of the Act. As I have found that Ms. Hedderman does not perform work of equal value with of Mr. Judd it follows that each of the claimants in Housekeeping (Students' Residences) do not perform "like work" with the Caretaker for the purposes of section 3 (c) of the Act.

HOUSEKEEPERS (MS. LAST & MS. LYNCH) -V- CARETAKER

- 5.11** Details of my comparison between the work of Ms. Last and Ms. Lynch and the Caretaker are at Appendix C (page 24). I have found here that similar demands are placed on each of the claimants and on the comparator with regard to "skill", "mental effort" and "working conditions" and that greater demands are placed on each of the claimants in terms of "physical effort". In relation to "responsibility" I have found that greater demands are on Ms. Last than on the comparator and that the demands on Ms. Lynch are equal to those on the comparator. Accordingly, taking into account the overall demands on each of the claimants and the comparator, I find that the work performed by both of these claimants is "like work" with that performed by Mr. Judd for the purposes of Section 3(c) of the Act.

CATERING ASSISTANTS -V- CARETAKER

- 5.12** In the course of my job inspections I established that the Catering Assistants, with the exception of Ms. McEvoy performed cashier duties. Ms. Mills, who worked two hours per day over five days, performed little or no other duties than cashier duties and another claimant Ms. McCormack spent her eight hour working day in the shop in the students canteen and her only other tasks were to maintain stock levels, keep the area of the students' canteen clean and tidy. The other claimants, who were Catering Assistants, rotated every second week, two on two off, for two hours daily on the diningroom cash registers. After the departure of Ms. Mills in June 1995 one of the two claimants on cashiers duties at lunch time also performed this task in relation to evening meals. I am satisfied from my job inspections that cashier duties were a regular feature of these claimants work.

- 5.13** I am satisfied from the job descriptions received and with the benefit of my work inspections that any work differences of those claimants who were Catering Assistants are of small importance to their work as a whole and that they were employed on like work with each other, in terms of Section 3(b) of the Act. Accordingly for the purpose of my job comparison it is sufficient to compare one of the claimants here with the Caretaker. I have chosen Ms. C. Dempsey to carry out this comparison
- 5.14** Details of my comparison between the work of Ms. Dempsey and the Caretaker, together with the names of the relevant claimants are at Appendix D (page 29). I have found here that similar demands were placed on Ms. Dempsey and on the comparator with regard to "skill" and "working conditions" and that greater demands were on her in terms of "physical effort", "mental effort" and "responsibility". Accordingly, taking into account the overall demands on Ms. Dempsey and the comparator I find that the work performed by her was "like work" with that performed by Mr. Judd for the purposes of Section 3(c) of the Act. As I have found that Ms. Dempsey did perform work of equal value with that of Mr. Judd it follows that each of the claimants, who were Catering Assistants, performed "like work" with the Caretaker for the purposes of section 3 (c) of the Act.
- 5.15** As I have found that the claimants engaged on catering assistant duties performed "like work" with that performed by the Caretaker it follows that Ms. Mills, who was solely engaged on cashier duties and who was on a higher rate of remuneration than these claimants but on less than Mr. Judd, also performed "like work" with him.

CLEANERS -V- MAINTENANCE PERSON

- 5.16** For the reasons explained at paragraph 5.7 I propose here to compare the work of Ms. C. Redmond with that of the Maintenance person. Details of my comparison between her work and that of the Maintenance person, together with the names of the relevant claimants are at Appendix E (page 34). I have found here that greater demands are placed on the comparator than on Ms. Redmond in terms of "skill" , "mental effort", "responsibility" and "working conditions". In relation to "physical effort" I have found that the demands placed on the claimant equal those placed on the comparator. Accordingly, taking into account the overall demands on Ms. Redmond and the comparator, I find that the work performed by her is not "like work" with that performed by Mr. Hogan for the purposes of Section 3(c) of the Act. As I have found that Ms. Redmond does not perform work of equal value with of Mr. Hogan it follows that each of the claimants, who are Cleaners, do not perform “like work” with the Maintenance person for the purposes of section 3 (c) of the Act.

HOUSEKEEPING (STUDENTS’ RESIDENCES)-V- MAINTENANCE PERSON

- 5.17** For the reasons explained at paragraph 5.9 I propose here to compare the work of Ms. M. Hedderman with that of the Maintenance person. Details of my comparison between the work of Ms. Hedderman and the Maintenance person, together with the names of the relevant claimants, those who work exclusively in the students’ residences, are at Appendix F (page 38). I have found here that greater demands are placed on the comparator than on Ms. Hedderman in terms of "skill", "mental effort", "responsibility" and "working conditions". In relation to "physical effort" I have found that the demands placed on her equal those placed on the comparator. Accordingly, taking into account the overall demands on Ms. Hedderman and the comparator, I find that the work performed by her is not "like work" with that performed by Mr. Hogan for the purposes of Section 3(c) of the Act. As I have found that Ms. Hedderman does not perform work of equal value with of Mr. Hogan it follows that each of the claimants in Housekeeping, who work exclusively in students’ residences, do not perform “like work” with the Maintenance person for the purposes of section 3 (c) of the Act.

CATERING ASSISTANTS -V- MAINTENANCE PERSON

- 5.18** As I have found at paragraph 5.14 that the work performed by those claimants who worked as Catering Assistants is "like work" with that performed by the Caretaker comparator, Mr. Judd, under Section 3(c) of the Act, it is not necessary for me to consider their claim against the Maintenance person. It is not necessary for me to consider the claim of Ms. Mills, who performed cashier duties, against the maintenance person for the reasons outlined at paragraph 5.15.

HOUSEKEEPERS (MS. LAST & MS. LYNCH) -V- MAINTENANCE PERSON

- 5.19** As I have found at paragraph 5.11 that the work performed by Ms. Last and Ms. Lynch is "like work" with that performed by the Caretaker comparator, Mr. Judd, under Section 3(c) of the Act, it is not necessary for me to consider their claim against the Maintenance person.
- 5.20** I note that the College has not argued that the difference of pay between any of the claimants and either of the comparators is justified on grounds other than sex. Accordingly, taking into account the overall demands on each of the claimants and on the comparator Mr. Judd, I hold that those claimants who were employed as Catering Assistants i.e. Ms. M. Mills, Ms. U. McCormack, Ms. C. Dempsey, Ms. N. Kelly, Ms. M. McEvoy, Ms. M. Murphy and Ms. M. Dunne, together with Housekeepers Ms. Last and Ms. Lynch are entitled to the same hourly rate as that paid to Mr. Judd.

6 RECOMMENDATION

- 6.1** In view of my conclusions at Paragraphs 5.11, 5.14 and 5.15 previous that the claimants referred to therein do perform "like work" with that performed by the comparator Mr. Judd, in terms of Section 3(c) of the Anti-Discrimination (Pay) Act, 1974, I find that they have an entitlement to the same hourly rate of remuneration as that paid to him. The names of the successful claimants are as follows: Celine Dempsey, Mary Murphy, Marie McEvoy, Una McCormack, Marie Dunne, Margaret Mills, Nancy Kelly, Olive Lynch and Gertrude Last.

As I have found that none of claimants, who are described as Cleaners and those who work exclusively in Housekeeping in the students' residences perform "like work" with either of the comparators, under the terms of Section 3(c) of the Act, I find that they have no entitlement to the same rate of remuneration as either of them.

The claims for equal pay with the comparators were received on the 29th. January, 1996, with the exception of the claim in respect of Ms. Nancy Kelly which was received on 29th. April, 1996. Section 8(5) of the Act provides for the payment of arrears of remuneration up to a maximum of three years from the date on which the relevant dispute was referred. I therefore recommend that the appropriate retrospection be paid to the successful claimants.

As the employment of the claimants described as Catering Assistants terminated on 18 October, 1996, with exception of Ms. Margaret Mills whose employment ended 20th June, 1995 and Ms. Marie McEvoy who was retained after the 18th October, 1996 as a Cleaner, I further recommend that due regard be taken of my findings in respect of any entitlement due to them under Employment legislation.

Jim Clerkin,
Equality Officer

25th July, 1997.

Comparison: Section 3(c) Appendix A

Ms. Cora Redmond (Cleaner) and Mr. Noel Judd (Caretaker, Junior and Senior Schools)

Claimants (Cleaners)

Patricia Bennet	Karen Carroll
Mary Early	Vera Ennis
Rose Ivory	Marion Keogh
Mary Larkin	Cora Redmond
Teresa Carroll	Patricia Costello
Marie Duffy	Bernadette Lynch
Phyllis Myler	

SKILL

Ms. Redmond's work in the maintenance of a high level of cleanliness and tidiness in the offices, rooms, and the church requires a degree of skill. She requires a relatively low level of skill to carry out tasks, such as cleaning, washing, sweeping and dusting. She requires dexterity and some knowledge as to the correct operation of equipment such as buffers and vacuum cleaners. The various tasks of Ms. Redmond and the other Cleaners are outlined in detail in their job descriptions at Appendices 4, 5 and 20.

The comparator uses different skills to those of Ms. Redmond in the performance of his maintenance duties, details of his duties are at Appendices 9 and 18. He needs a variety skills and he uses different tools to carry out minor maintenance tasks, e.g. in electricity change a bulb/fit a plug/fuse; in plumbing change a washer/fit a ball cock; in carpentry fit castors on furniture/remove and change table tops; in gardening cut grass and maintain the grounds around the Junior and Senior schools. In order to carry

out electricity and plumbing tasks he requires some knowledge of the workings of electricity and plumbing.

Having regard to the range of skills associated with the various maintenance tasks performed by the comparator in the course of his work I am satisfied that there are greater demands placed on him than on Ms. Redmond (Cleaner) in terms of skill.

PHYSICAL EFFORT

The work of the claimant requires her to constantly use physical effort in her work of cleaning, washing, sweeping and dusting. The use of such equipment such as buffers, vacuum cleaners, mops and sweeping brushes requires a relatively high degree of physical effort from her. In contrast the work of the comparator requires a reasonable amount of physical effort when his work requires him to sweep the school yards, unblock drains, maintenance repairs and the operation of the motor mower to cut a relatively small area of grass on the schools grounds.

I consider that as the physical effort required of Ms. Redmond (Cleaner), albeit at different levels, entails a more concentrated daily effort on her part than required daily of the comparator that greater demands are placed on the claimant than on Mr. Judd under this heading.

MENTAL EFFORT

There is some mental effort involved in the tasks performed by the comparator and the claimant. The comparator uses mental effort in setting the security alarm systems and in re-ordering central heating oil. Ms. Redmond requires a small degree of mental effort in the correct operation of buffers and vacuum cleaners and the comparator when his work requires him to use the motor mower.

I consider that overall the comparator and Ms. Redmond (Cleaner) use an equal degree of mental effort in the performance of their respective tasks.

RESPONSIBILITY

The comparator's work area is the Senior and Junior schools and he is responsible for minor maintenance tasks, maintenance of the school grounds and the security system in the schools. The claimant's responsibility is the maintenance of a high level of cleanliness and tidiness in the rooms, offices and the church.

The most important responsibility of the comparator is to lock the various doors/close windows in the schools and to set the alarm system in both schools. The schools are in separate buildings and they are somewhat isolated from the other buildings on the campus grounds. The comparator is a keyholder but he has rarely been called out. Mr. Judd's security responsibilities are diluted to an extent by the fact that the respondent has 24 hour security on the campus grounds.

I am satisfied, particularly having regard to the comparator's security responsibilities, that the demands on him in terms of responsibility are higher than those on Ms. Redmond (Cleaner).

WORKING CONDITIONS

The claimant works indoor in different locations in the College. The comparator spends his working day in and around the Junior and Senior schools, some of the time he spends outdoors in inclement weather.

Ms. Redmond's job requires her to carry out the unpleasant task of cleaning toilets. The comparator's work requires him occasionally to perform the equally unpleasant task of unblocking toilets.

The claimant faces minor hazards in the operation of equipment such as buffers and vacuum cleaners. In the case of the comparator the main hazards he faces are in the use of the motor mower and those associated with the misuse of electricity.

I am satisfied that overall there is no significant differences in the conditions under which the comparator and Ms. Redmond (cleaner) work.

Comparison: Section 3(c) Appendix B

Ms. Margaret Hedderman (Housekeeping - Students' Residences) and Mr. Noel Judd (Caretaker, Junior and Senior Schools)

Claimants (Housekeeping)

Angela Conway	Kathleen Fox
Mary Guilfoyle	Margaret Hedderman
Angela Kinsella	Margaret Martin
Marjorie O'Kiely	Mary Sheridan
Margaret Traynor	

SKILL

Ms. Hedderman's work in the maintenance of a high level of cleanliness and tidiness in the students' residences requires a degree of skill. The claimant requires a relatively low level of skill to carry out such tasks as cleaning, washing, sweeping and dusting. She requires dexterity and some knowledge as to the correct operation of equipment such as buffers and vacuum cleaners. The various tasks of Ms. Hedderman and the claimants, who work exclusively in the students residences, are outlined in detail in their job descriptions at Appendices 6 to 8 and 20.

The comparator uses different skills to those of the claimant in the performance of his maintenance duties, details of his duties are at Appendices 9 and 18. He needs a variety skills and he uses different tools to carry out minor maintenance tasks, e.g. in electricity change a bulb/fit a plug/fuse; in plumbing change a washer/fit a ball cock; in carpentry fit castors on furniture/remove and change table tops; in gardening cut grass and maintain the grounds around the Junior and Senior schools. In order to carry out electricity and plumbing tasks he requires some knowledge of the workings of electricity and plumbing.

Having regard to the range of skills associated with the various maintenance tasks performed by the comparator in the course of his work I am satisfied that there are greater demands placed on him than on Ms. Hedderman under this heading.

PHYSICAL EFFORT

The work of Ms. Hedderman requires her to constantly use physical effort in her work of cleaning, washing, sweeping and dusting. The use of such equipment such as vacuum cleaners, mops and sweeping brushes requires a relatively high degree of physical effort from her. In contrast the work of the comparator requires a reasonable amount of physical effort when his work requires him to sweep the school yards, unblock drains, maintenance repairs and the operation of the motor mower to cut a relatively small area of grass on the schools grounds.

I consider that as the physical effort required of Ms. Hedderman, albeit at different levels, entails a more concentrated daily effort on her part than that required daily of the comparator greater demands are placed on her than on Mr. Judd under this heading.

MENTAL EFFORT

There is some mental effort involved in the tasks performed by the comparator and the claimant. The comparator uses mental effort in setting the security alarm system and in re-ordering central heating oil. Ms. Hedderman requires a degree of mental effort in keeping laundry records and in the correct operation of buffers and vacuum cleaners.

I consider that overall the comparator and Ms. Hedderman use an equal degree of mental effort in the performance of their respective tasks.

RESPONSIBILITY

The comparator's work area is the Senior and Junior schools and he is responsible for minor maintenance tasks, the school grounds and the security system in the schools. The claimant's main responsibilities are the maintenance of a high level of cleanliness and tidiness in the students' residences.

The most important responsibility of the comparator's is to lock the various doors in the schools and to set the alarm system in both schools. The schools are in separate buildings and they are somewhat isolated from the other buildings on the campus grounds. The comparator is a keyholder but he has rarely been called out. Mr. Judd's security responsibilities are diluted to an extent by the fact that the respondent has 24 hour security on the campus grounds.

I am satisfied, particularly having regard to the comparator's security responsibilities, that the demands on him in terms of responsibility are higher than those on Ms. Hedderman.

WORKING CONDITIONS

The claimant works indoor in the students' residences. The comparator spends his working day in and around the Junior and Senior schools, some of the time he spends outdoors in inclement weather.

Ms. Hedderman's job requires her to carry out the unpleasant task of cleaning toilets. The comparator's work requires him occasionally to perform the equally unpleasant task of unblocking toilets.

The claimant faces minor hazards in the operation of equipment such buffers and vacuum cleaners. In relation to the comparator the main hazards are the use of the motor mower and those associated the misuse of electricity.

I am satisfied that overall there is no significant differences in the conditions under which the comparator and Ms. Hedderman work.

Comparison: Section 3(c) Appendix C

Ms. Olive Lynch and Ms. Gertrude Last (Housekeepers) and Mr. Noel Judd (Caretaker, Junior and Senior Schools)

SKILL

Ms. Lynch's work in the maintenance of a high level of cleanliness and tidiness in the students' residences requires a degree of skill. She requires a relatively low level of skill to carry out such tasks as cleaning, washing, sweeping and dusting. She requires dexterity and some knowledge as to the correct operation of equipment such as buffers and vacuum cleaners. The various tasks of Ms. Lynch are outlined in detail in her job descriptions at Appendices 8 and 20.

Ms. Lynch, in addition to working in the students' residences, performs sewing/ironing duties in the priests house. She requires a moderate level of skill and co-ordination in the operation of a sewing machine which she uses to mend or make pillow cases, bed linen and curtains. She also uses these skills in her use of a steam iron to iron bed linen and curtains.

Ms. Last, works fulltime in the Priests House, carries out similar to those of Ms. Lynch to varying degrees, including at times the washing and ironing of the President's clothes, but excluding sewing. Ms. Last's range of duties are outlined in detail at Appendix 7. In addition she uses skills daily to make porridge, tea, coffee and once or twice a week poach/boil eggs. She also uses a variety of minor skills to carry out tasks such as light fires, answer the door/telephone and list and check laundry.

The comparator uses different skills to those of the claimants in the performance of his maintenance duties, details of his duties are at Appendices 9 and 18. He needs a variety of skills and he uses different tools to carry out minor maintenance tasks, e.g. in electricity change a bulb/fit a plug/fuse; in plumbing change a washer/fit a ball cock; in carpentry fit castors on furniture/remove and change table tops; in gardening cut grass and maintain the grounds around the Junior and Senior schools. In order to carry out electricity and plumbing tasks he requires some knowledge of the workings of electricity and plumbing.

Having regard to the range of skills associated with the tasks performed by the comparator and Ms. Lynch I am satisfied, because she has the skill to sew and iron bed linen, in addition to skills common to the other claimants working in Housekeeping, that overall there is no significant differences in her skills compared to those of Mr. Judd.

As Ms. Last essentially carries out the full range of household duties, including minor cooking tasks, I am satisfied that the demands placed on her are equal to those on the comparator in terms of skill.

PHYSICAL EFFORT

The work of Ms. Lynch and Ms. Last requires them to constantly use physical effort in such tasks as cleaning, washing, sweeping and dusting. The use of such equipment such as vacuum cleaners, mops and sweeping brushes requires a relatively high degree of physical effort from them. In contrast the work of the comparator requires a reasonable amount of physical effort when his work requires him to sweep the school yards, unblock drains, maintenance repairs and the operation of the motor mower to cut a relatively small area of grass on the schools grounds.

I consider that as the physical effort required of the claimants, albeit at different levels, entails a more concentrated daily effort on their part than that required daily of the comparator greater demands are placed on them than on Mr. Judd under this heading.

MENTAL EFFORT

There is some mental effort involved in the tasks performed by the comparator and these two claimants. The comparator uses mental effort in setting the security alarm system and in re-ordering central heating oil. The claimants require a degree of mental effort in the correct operation of buffers, vacuum cleaners and a steam iron. In the case of Ms. Lynch a sewing machine. The comparator uses a degree of mental effort when his work requires him to use the motor mower. Ms. Last's task of occasionally taking telephone messages for the resident priests also requires a degree of mental effort.

I consider that overall the comparator and the claimants use an equal degree of mental effort in the performance of their respective tasks.

RESPONSIBILITY

The comparator's work area is the Senior and Junior schools and he is responsible for minor maintenance tasks, the school grounds and the security system in the schools.

The most important responsibility of the comparator's is to lock the various doors in the schools and to set the alarm system in both schools. The schools are in separate buildings and they are somewhat isolated from the other buildings on the campus grounds. The comparator is a keyholder but he has rarely been called out. Mr. Judd's security responsibilities are diluted to an extent by the fact that the respondent has 24 hour security on the campus grounds.

Ms. Last has the responsibility to maintain a high level of cleanliness and tidiness in the priests house. In addition she has other responsibilities such as to close the window shutters (for reasons of security), answer the doorbell/the telephone while the priests are not available and minor cooking tasks.

In addition to her housekeeping responsibilities in the students' residences Ms. Lynch has sewing and ironing responsibilities.

Having regard to the overall responsibilities on the comparator and Ms. Lynch I am satisfied because, in addition to responsibilities common to the other claimants working in Housekeeping, she also has the responsibility to iron and sew bed linen, that overall there is no significant differences in her responsibilities compared to those of Mr. Judd.

As Ms. Last essentially carries out the full range of household duties, including minor cooking tasks, I am satisfied that there are greater demands placed on her than on the comparator under the heading of responsibility.

WORKING CONDITIONS

Both claimants work indoors. The comparator spends his working day in and around the Junior and Senior schools, some of the time he spends outdoors in inclement weather.

The claimants' job requires them to carry out the unpleasant task of cleaning toilets. The comparator's work requires him occasionally to perform the equally unpleasant task of unblocking toilets.

The claimants face minor hazards in the operation of equipment such buffers, vacuum cleaners and a steam iron. Ms. Lynch also faces the hazard of misuse of the sewing machine. In relation to the comparator the main hazards are the use of the motor mower and those associated the misuse of electricity.

I am satisfied that overall there is no significant differences in the conditions under which the comparator and the claimants work.

Ms. Celine Dempsey (Catering Assistant) and Mr. Noel Judd (Caretaker, Junior and Senior Schools)

Claimants (Catering Assistants)

Marie McEvoy

Mary Murphy

Celine Dempsey

Una McCormack

Marie Dunne

Margaret Mills

Nancy Kelly

SKILL

Ms. Dempsey's used a reasonable level of skill in the preparation of sandwiches with various types of fillings and the calculation of the price of sandwiches which were not at the basic price. She also had the skill to prepare potato salads, toss salads and rice mixture etc., which she decorated and placed in barrels in the display cabinet. She also prepared some salad plates but generally the customer filled his/her own plate. After the lunch period she cleaned and tidied up the salad bar, including the storage for future use the unused contents of the barrels.

In relation to cashier duties the function required a reasonable level of skill of the claimant to operate the cash register, correctly charge for purchases, check the amount tendered and return the correct change and at the completion of the function reconcile cash on hands with the total registered.

The other tasks carried out by the claimant required a relatively low level of skill and these included cleaning tables/counters, removing left overs from plates, placing delph etc in the dish washer.

Ms. Dempsey needed dexterity and some knowledge as to the correct use of equipment such as knives and the meat slicing machine. In addition her job required a knowledge of hygiene and storage

of fillings. The various tasks of Ms. Dempsey and the other Catering Assistants are outlined in detail in their job descriptions at Appendices 2 and 21.

The comparator uses different skills to those of Ms. Dempsey in the performance of his maintenance duties, details of his duties are at Appendices 9 and 18. He needs a variety skills and he uses different tools to carry out minor maintenance tasks, e.g. in electricity change a bulb/fit a plug/fuse; in plumbing change a washer/fit a ball cock; in carpentry fit castors on furniture/remove and change table tops; in gardening cut grass and maintain the grounds around the Junior and Senior schools. In order to carry out electricity and plumbing tasks he requires some knowledge of the workings of electricity and plumbing.

Having regard to the skills associated with the various minor maintenance tasks performed by the comparator and the skills required of the claimant, particularly those associated with the preparation of food and cashier duties, that there are not significant differences between the work of the comparator and the work of Ms. Dempsey under this heading.

PHYSICAL EFFORT

The work of the claimant required her to constantly use physical effort of varying degrees from the light work of preparing sandwiches, salads and cash register duties to the heavier work attached to the use of buffers, vacuum cleaners, mops and sweeping brushes. In contrast the work of the comparator requires a reasonable amount of physical effort when his work requires him to sweep the school yards, unblock drains, maintenance repairs and the operation of the motor mower to cut a relatively small area of grass on the schools grounds.

I consider that as the physical effort required of the claimant, albeit at different levels, entails a more concentrated daily effort on her part than required daily of the comparator that greater demands are placed on her than on Mr. Judd under this heading.

MENTAL EFFORT

There is some mental effort involved in the tasks performed by the comparator and the claimant. The comparator uses mental effort in setting the security alarm systems and in re-ordering central heating oil. The claimant was required to calculate, the price of those sandwiches prepared, which were not the basic charge, preparation of salad bowls and to use a reasonable degree of mental effort in handling and balancing cash.

I consider that overall the demands placed on Ms. Dempsey are greater than those on the comparator in terms of mental effort.

RESPONSIBILITY

The comparator's work area is the Senior and Junior schools and he is responsible for the minor maintenance tasks, the school grounds and the security system in the schools. The claimant's main responsibilities were to ensure a high level of hygiene in the dining/kitchen areas, preparation of salad bowls, sandwiches and to accurately handle and balance cash.

Ms. Dempsey's responsibilities included the preparation of various types of salads for the salad barrels, the decoration of the salad barrels, and the preparation of sandwiches. In relation to the cashier functions she was responsible for the correct charging of purchases, and at the completion of the function reconcile cash on hands with the total registered. The claimant's was also responsible for the security of the cash received while in her possession. In addition she carried out such tasks as cleaning tables, filling and emptying the dishwasher

It is the comparator's sole responsibility to lock the various doors in the schools and to set the alarm system in both schools. The schools are in separate buildings and they are somewhat isolated from the other buildings on the campus grounds. The comparator is a keyholder but he has rarely been called out. Mr. Judd's security responsibilities are diluted to an extent by the fact that the respondent has 24 hour security on the campus grounds.

I am satisfied having regard to the various responsibilities of the comparator and the claimant,

particularly those related to the preparation of food and the handling of cash, that the demands on Ms. Dempsey in terms of responsibility were higher than those on the comparator.

WORKING CONDITIONS

The claimant worked indoor generally in the kitchen/dining areas. The comparator spends his working day in and around the Junior and Senior schools, some of the time he spends outdoors in inclement weather.

Both the claimant and the comparator faced minor hazards in the operation of equipment in their respective jobs. In case of the comparator the main hazards he faces are in the use of the motor mower and those associated the misuse of electricity and in the case of the claimant the misuse of knives, meat slicer and buffers.

I am satisfied that overall there is no significant differences in the conditions under which the comparator and the claimant work.

Comparison: Section 3(c) Appendix E

Ms. Cora Redmond (Cleaner) and Mr. John Hogan (Maintenance person)

Claimants (Cleaners)

Patricia Bennet	Karen Carroll
Mary Early	Vera Ennis
Rose Ivory	Marion Keogh
Mary Larkin	Cora Redmond
Teresa Carroll	Patricia Costello
Marie Duffy	Bernadette Lynch
Phyllis Myler	

SKILL

Ms. Redmond's work in the maintenance of a high level of cleanliness and tidiness in the offices, rooms, and the church requires a degree of skill. She requires a relatively low level of skill to carry out tasks, such as cleaning, washing, sweeping and dusting. She requires dexterity and some knowledge as to the correct operation of equipment such as buffers and vacuum cleaners. The various tasks of Ms. Redmond and the other Cleaners are outlined in detail in their job descriptions at Appendices 4, 5 and 20.

The comparator requires a relatively low level of skill to carry out such tasks as sweeping, emptying bins and climbing a ladder, details of his duties are at Appendices 10 and 19. He uses a reasonable level of skill to drive the tractor, with a trailer attached, on the grounds of the campus. He requires some knowledge as the correct use of a mechanical land sweeper.

Having regard, in particular, to the skills associated with the driving of a tractor and the additional skill

of manoeuvring the trailer and the fact that the comparator is required to drive it daily I am satisfied that there are greater demands placed on him than on the claimant in terms of skill.

PHYSICAL EFFORT

The work of the claimant requires her to constantly use physical effort in her work of cleaning, washing, sweeping and dusting. The use of such equipment such as buffers, vacuum cleaners, mops and sweeping brushes requires a relatively high degree of physical effort from her.

The comparator's job requires him to lift bags of refuse throw them into the trailer attached to the tractor and throw them from the trailer into collection skips. On a regular basis his work also requires that he uses a ladder and on occasions he uses a mechanical sweeper (push type).

I consider that overall the demands placed on the comparator and on the claimant are equal in terms of physical effort.

MENTAL EFFORT

There is some mental effort involved in most of the tasks performed by the comparator and the claimant. The comparator uses a reasonable amount of concentration in driving the tractor, while the claimants use a degree of mental effort in their cleaning, washing and tidying duties.

I consider that overall the comparator, because of the level of concentration required of him to drive the tractor, there are greater demands placed on him than on the claimants under this heading.

RESPONSIBILITY

The comparator is responsible for the maintenance of the College grounds in a clean and tidy manner. In the exercise of that responsibility there is an onus on him to safely drive the tractor (trailer attached) on the College driveways. I note that the driveways are used by pedestrians and other vehicles and that there are no pavements attached to them. The claimant's main responsibilities are the maintenance of a high level of cleanliness and tidiness in the rooms, offices and the church.

I consider, particularly, because of the responsibilities associated with safely driving the tractor with a trailer attached, that the demands on the comparator in terms of responsibility are higher than those on the claimant.

WORKING CONDITIONS

The claimant works indoor in different locations in the College. The comparator spends his working day almost exclusively outdoors in all types of weather conditions.

The comparator is required to contend with the hazard of driving a tractor, using a ladder and working on flat roofs; most of the roofs are one storey high. In contrast the claimant faces less hazards in the use of equipment such as buffers and vacuum cleaners but their work requires them to carry out the unpleasant task of cleaning toilets.

I consider that the working conditions of the comparator, mainly because of the greater hazards associated with his work and as he works outdoors, are more difficult than those of the claimant.

Comparison: Section 3(c) Appendix F

Ms. Margaret Hedderman (Housekeeping - Students' Residences) and Mr. John Hogan (Maintenance person)

Claimants (Housekeeping)

Angela Conway	Kathleen Fox
Mary Guilfoyle	Margaret Hedderman
Angela Kinsella	Margaret Martin
Marjorie O'Kiely	Mary Sheridan
Margaret Traynor	

SKILL

Ms. Hedderman's work in the maintenance of a high level of cleanliness and tidiness in the students' residences requires a degree of skill. The claimant requires a relatively low level of skill to carry out such tasks as cleaning, washing, sweeping and dusting. She requires dexterity and some knowledge as to the correct operation of equipment such as buffers and vacuum cleaners. The various tasks of Ms. Hedderman and the claimants, who work exclusively in the students' residences, are outlined in detail in their job descriptions at Appendices 6 and 20.

The comparator requires a relatively low level of skill to carry out such tasks as sweeping, emptying bins and climbing a ladder, details of his duties are at Appendices 10 and 19. He uses a reasonable high level of skill to drive the tractor, with a trailer attached, on the campus grounds. He requires some knowledge as to the correct use of a mechanical land sweeper (push type).

Having regard, in particular, to the skills associated with the driving of a tractor, and the additional skill of manoeuvring the trailer, and the fact that the comparator is required daily to drive it I am satisfied that there are greater demands placed on him than on the claimant in terms of skill.

PHYSICAL EFFORT

The work of the claimant requires her to constantly use physical effort in her work of cleaning, washing, sweeping and dusting. The use of equipment such as vacuum cleaners, mops and sweeping brushes requires a relatively high degree of physical effort from her.

The comparator's job requires him to lift bags of refuse throw them into the trailer attached to the tractor and throw them from the trailer into collection skips. On a regular basis his work also requires that he uses a ladder and on occasions he uses a mechanical sweeper(push type).

I consider that overall the demands placed on the comparator and on the claimants are equal in terms of physical effort

MENTAL EFFORT

There is some mental effort involved in most of the tasks performed by the comparator and the claimant. The claimant requires a degree of mental effort in the correct operation of buffers and vacuum cleaners.

The comparator's general manual duties requires little mental effort except in driving the tractor, and manoeuvring the trailer, which requires a reasonable amount of concentration.

I consider that overall the comparator, because of the level of concentration required of him to drive the tractor, that there are greater demands placed on him than on the claimant under this heading.

RESPONSIBILITY

The comparator is responsible for the maintenance of the College grounds in a clean and tidy manner. In the exercise of that responsibility there is an onus on him to safely drive the tractor (trailer attached) on the College driveways. I note that the driveways are used by pedestrians and other vehicles and that there are no pavements attached to them.

The claimant's main responsibilities are the maintenance of a high level of cleanliness and tidiness in the students' residences.

I consider, particularly, because of the responsibilities associated with safely driving the tractor, trailer attached, that the demands on the comparator in terms of responsibility are higher than those on the claimant.

WORKING CONDITIONS

The claimant works indoor in the area of the students' residences. The comparator spends his working day almost exclusively outdoors in all types of weather conditions.

The comparator is required to contend with the hazard of driving a tractor, using a ladder and working on flat roofs; most of the roofs are one storey high. In contrast the claimant faces minor hazards in the use of equipment such as buffers and vacuum cleaners.

I consider that the working conditions of the comparator, mainly because of the greater hazards associated with his work and as he works outdoors, are more difficult than those of the claimant.