



THE EQUALITY TRIBUNAL
AN BINSE COMHIONANNAIS

Annual Report | Tuarascáil Bhliantúil 2006



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Annual Report 2006

Presented in accordance with section 75(8)
of the Employment Equality Acts 1998 and 2004
to the former Tánaiste and
Minister for Justice, Equality and Law Reform
Mr. Michael McDowell T.D.

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Director's Foreword



Melanie Pine, Director

I have pleasure in submitting the Annual Report of the Equality Tribunal for 2006 to the former Tánaiste and Minister for Justice, Equality and Law Reform, in accordance with my statutory duty under Section 75 (8) of the Employment Equality Acts 1998 and 2004.

During 2006 more than 7,000 people referred complaints of unlawful discrimination to the Equality Tribunal.

- There was a rise of 12% in the number of cases about discrimination in work, which means that employment cases have risen by 50% in the last two years. This includes a dramatic rise in the number of claims on the race ground and a very high number of claims alleging dismissal for discriminatory reasons.
- The number of cases alleging discrimination in relation to pensions has doubled, albeit from a low base. Race, age and disability were the main grounds cited.
- There was a fall in the number of equal status cases from 223 to 166. This was particularly marked on the age ground.

As the legislation has bedded down, the Tribunal has noted that a significant number of cases pose increasingly complex legal issues which require intensive research and close scrutiny of the governing legislation. While many cases continue to turn on questions of fact, nevertheless during 2006 the Tribunal issued decisions in a range of areas which clarified the law.

During 2006 the Tribunal's productivity continued to grow, despite severe challenges in staffing. For much of the year the Tribunal carried vacancies at all levels in its support staffing and its management team and there was significant turnover of staff. Despite the resultant increase in inappropriate administrative work for Equality Officers and Mediators, the number of decisions issued rose by 8% and the number of mediations reaching agreement increased by 12%. This is a significant achievement in any circumstances. The administrative staff themselves made heroic efforts to maintain some support for the investigation and mediation teams while also dealing with customers and keeping the Tribunal functioning. I would like to express my appreciation and thanks for this to all the staff. I am glad to say that at the time of writing these vacancies have been filled.

Despite the Tribunal's best efforts, the waiting time for cases to be assigned to Equality Officers for investigation continued to grow. This was particularly so for employment equality given the surge in the number of claims. On behalf of everyone involved in cases before us, I am most grateful for the former Minister's and the Department's support in securing additional staff, to come on stream in 2007, to enable us to eliminate these delays over the next two years.

In relation to decentralisation, the Tribunal made significant progress on its planned move to Portarlington. While we have not yet secured permanent accommodation, during 2006 a number of decentralising staff were assigned to the Tribunal, and I am very satisfied with arrangements made for the recruitment of Equality Officers to serve in the new location. In particular I would like to thank the Department of Justice Equality and Law Reform for facilitating this.

Report On Achievement Of Strategic Goals

Goal 1: Investigation and Decision

Our decisions continue to provide a high standard of protection against discrimination and are making a robust contribution to a balanced and sustainable body of caselaw. The Tribunal closely analyses the outcomes of appeal hearings.

Goal 2: Mediation

The Tribunal continues to provide an effective and speedy mediation service. Feedback from users has been overwhelmingly positive and to the best of our knowledge agreements have been durable and have enabled both parties to resolve the issues and move on. Once again mediation proved a very valuable resource for the Tribunal in 2006 with 70% of the complaints referred to mediation during the year being disposed of through the Mediation Service.

Goal 3: Quality Service

Complaints to the Tribunal enable us to fine-tune our services. We continue to provide high quality hearings or mediations in Dublin or outside, depending on the respondents' addresses. We also continued to publish decisions (keeping names of parties confidential where appropriate) and to maintain our web-based database of decisions and in 2006 we revised our information leaflets to gain the Plain English Quality Mark.

Finally I would like to express the Tribunal's thanks for the continuing support from the Minister for Justice, Equality and Law Reform, the Secretary-General and the Department. In particular the Equality, Personnel, Finance and IT Divisions have gone out of their way to give us practical assistance during the year, which we greatly appreciated.

Melanie Pine

1 The Equality Tribunal

The Equality Tribunal is the independent body set up by law to investigate or mediate complaints of unlawful discrimination. Our jurisdiction includes complaints in relation to employment, occupational benefits (e.g. pensions) and equal status (access to goods and provision of services).

It is against the law to discriminate, in relation to work, pensions or in providing goods and services, on any of the following grounds:

- Gender
- Family Status
- Religion
- Disability
- Race
- Marital Status
- Sexual Orientation
- Age
- Membership of the Traveller Community

Role of the Equality Tribunal

People who feel they have been discriminated against (i.e. treated less favourably), on any of the nine grounds listed above, can bring a case to the Equality Tribunal. It is not necessary to have legal or other representation. The Tribunal offers the parties two options: mediation or investigation. A case goes to mediation if neither party objects to mediation and if the Director considers the case could be resolved through mediation. A trained Tribunal Mediator will help the parties to reach an agreement which is acceptable to both sides. Mediated agreements are legally binding and are not published by the Tribunal.

However, if either party objects to mediation or if mediation does not reach agreement, the Tribunal will investigate the case. This is a formal examination of a complaint, carried out by an impartial Equality Officer. The Equality Officer will ask both sides to set out their evidence in writing, will hold a joint hearing of the evidence and will subsequently issue a written Decision giving his or her reasons. Decisions are legally binding and are published by the Tribunal.

Cases can be brought to the Tribunal under the following Acts:

- Employment Equality Acts 1998 and 2004
Exception: cases on the gender ground may instead, if the complainant chooses, be brought to the Circuit Court
- Equal Status Acts 2000-2004
Exception: cases about licensed premises and registered clubs must instead be brought to the District Court
- Pensions Acts 1990-2004

Mission of the Equality Tribunal

- To contribute to equality, as an independent statutory body, by deciding or mediating claims of alleged unlawful discrimination
- To operate in accordance with the principles of natural justice, constitutional justice and the Tribunal's core values of:
 - Impartiality
 - Professionalism
 - Accessibility
 - Timeliness

2 Operations of the Tribunal in 2006

Note: All statistical information contained in tables and charts in this chapter is given as grouped cases rather than individual claims. Each case therefore may have more than one complainant. Overall more than 7,000 individuals made complaints to the Tribunal in 2006.

Referrals to the Tribunal 2005 and 2006 (Grouped)		
Referrals	2005	2006
Overall referrals	631	628
Employment Equality	399	448
Collective agreements	2	0
Equal Status	223	166
Pensions Acts	7	14

Outcomes 2005 and 2006 (Grouped)		
Outcomes	2005	2006
Overall outcomes	548	520
Employment Equality	243	304
Decisions	62	63
Mediated agreements	41	65
Otherwise closed	140	176
Equal Status	305	213
Decisions	82	94
Mediated agreements	28	19
Otherwise closed	195	100
Pensions Acts*	0	3
Decisions	0	0
Otherwise closed	0	3

*Note: The Tribunal did not have jurisdiction to mediate in relation to pensions matters until April 2004

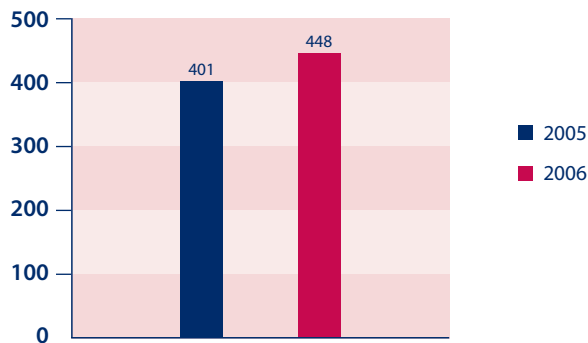
Investigation Service

An investigation begins when a claim within the Acts is referred to the Tribunal. The Tribunal cannot initiate a claim. An investigation is a quasi-judicial process carried out by a Tribunal Equality Officer. Tribunal Equality Officers, who sit as sole member tribunals, normally request and consider information from both parties before arranging a joint hearing of the case, considering all the evidence and reaching a Decision. Where discrimination is found to have occurred, an order for redress is made. The Decision of an Equality Officer on a claim of unlawful discrimination is binding and enforceable at law. It is issued in writing after the hearing, normally contains full reasons and is required to be published.

Appeals lie to the Labour Court for decisions under the Employment Equality Acts and the Pensions Acts and to the Circuit Court for decisions under the Equal Status Acts.

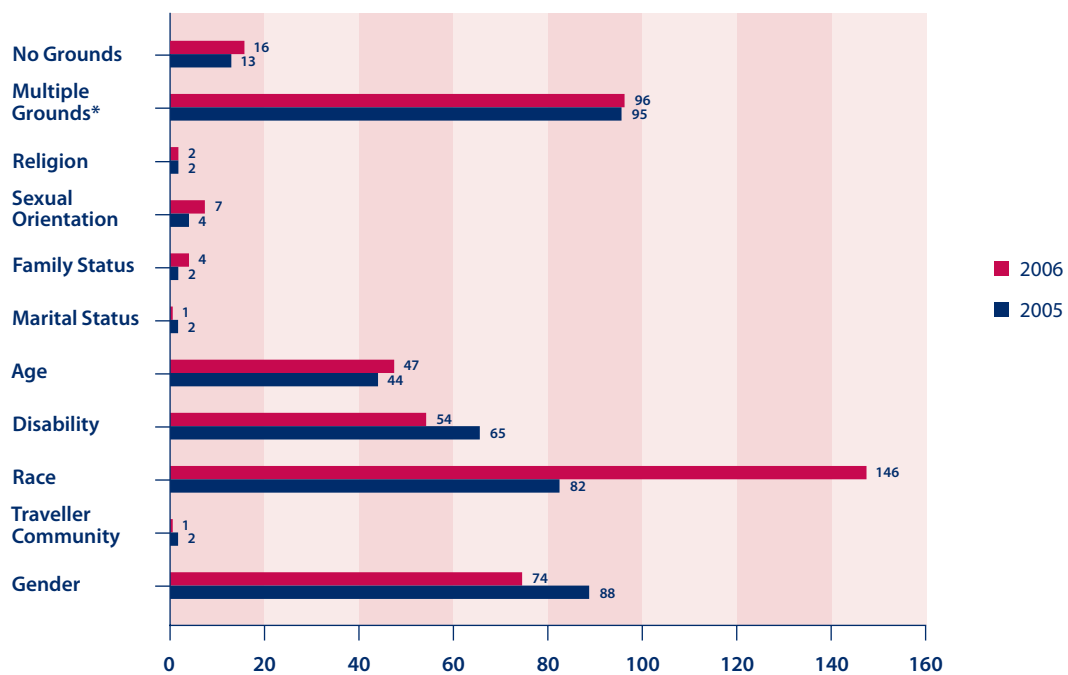
Employment Equality (EE)

EE Referrals (grouped)



- 12% increase in employment case referrals over 2005.
- 448 cases (covering 6,638 complainants) were referred in 2006.

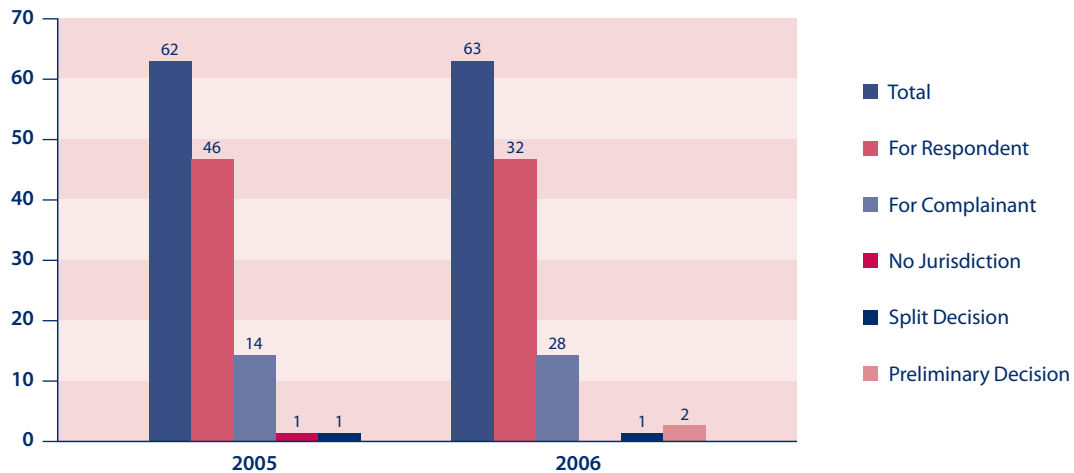
EE Grounds for referral



- race is the main ground for referral
- 78% rise in the number of race cases

*Where a claim is made under more than one ground it is not counted in each of the grounds on which the claim is based but only in the "Multiple Grounds" category. A full breakdown of referrals including referrals on Multiple Grounds is given in Appendix 6.

EE Decisions (grouped)



- 63 decisions were issued (covering 2,161 individual complaints) compared to 62 decisions issued in 2005.
- Equality Officers found in favour of the complainant in approximately 44% of decisions.

EE Otherwise closed

176 other cases were closed in 2006, an increase of 26% on 2005, by being found to be inadmissible or by being settled or withdrawn during the course of the investigation or by being dismissed for non-pursuit. Many of these cases involved significant work for Tribunal staff at all levels.

EE Awards

- Amounts totalling €364,061 (excluding equal pay and pay arrears etc.) were awarded in compensation where discrimination was found.
- The average award was €10,113 compared to €8,643 in 2005
- The highest award was €40,000
- Equal pay was awarded in 1 case
- Awards for a person employed by the respondent can be up to two years' pay, or equal pay and arrears where appropriate. The maximum award for someone who is not an employee of the respondent is €12,697.

EE Power to Direct Action

In a number of cases Equality Officers used their power to direct action that would help to prevent future discrimination. Orders included:

- the appointment/re-appointment of the person to the position in dispute with retrospective effect from the date of discrimination
- the provision of a mechanism to ensure that employees absent from work on statutory leave, particularly maternity leave, are kept advised of any issues that have a potential impact on their employment

- the introduction of an equal opportunities policy to take account of the provisions of the Employment Equality Acts 1998 and 2004
- the introduction of a policy on the prevention of harassment and sexual harassment in the workplace in accordance with the Equality Authority Code of Practice on Sexual Harassment and Harassment at Work to be displayed permanently in a prominent position in the respondent's premises
- the introduction of selection procedures in all future recruitment/promotion processes to include the application of a formal marking system, the ranking of candidates by reference to that marking system and the retention of Interview Board notes for a minimum of twelve months
- a review to be undertaken of all of employment procedures, including recruitment policy, grievance and disciplinary procedures, statutory requirements and all other obligations, to ensure that the employer is meeting its duty of care to its foreign workers
- the crediting of service related benefits including annual leave to the complainant
- the amendment of the complainant's sick leave record so that it reflects her fitness to resume work
- arrangements to be made for the complainant to pursue a training course where fees and associated costs are met by the respondent in the normal manner
- the implementation of a new roster which does not indirectly discriminate against the complainants on the gender ground

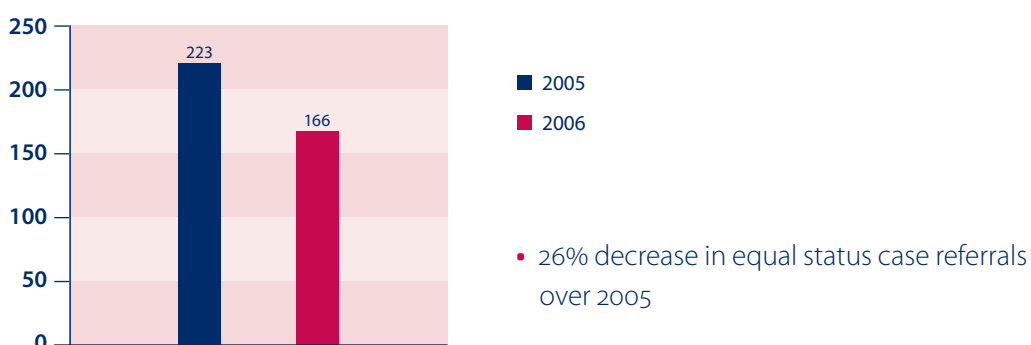
Pensions Acts

Referrals & Decisions

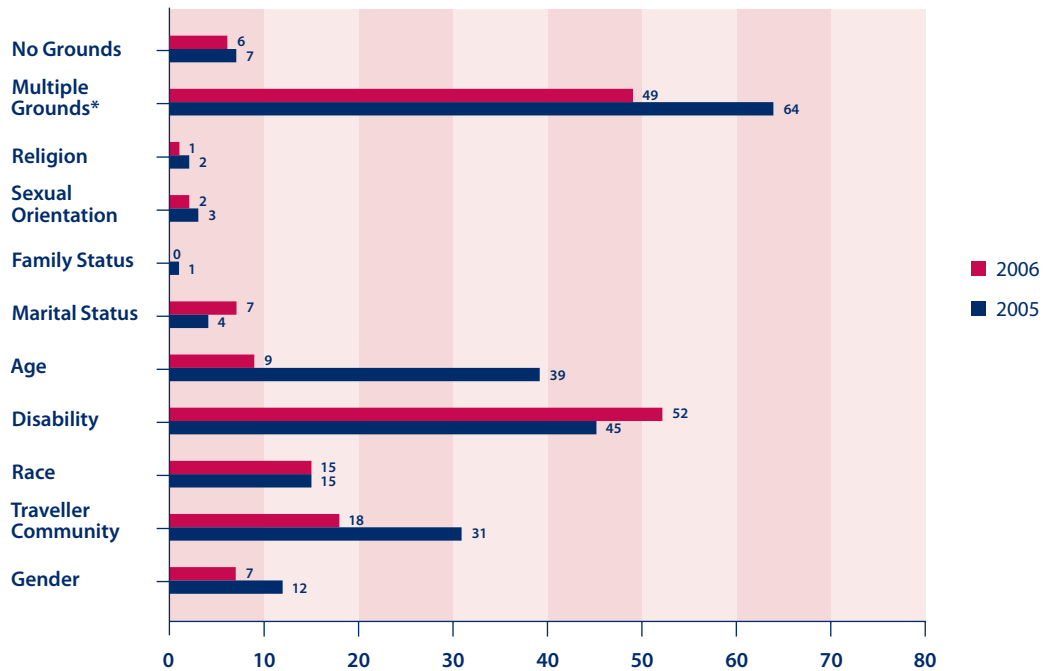
- 14 referrals were received in 2006 (7 in 2005) where a claim under the Pensions Acts was cited.
- Race (3), Age (3) and Disability (2) were the main grounds stated for referral.
- No decisions issued in 2006 under the Pensions Acts.

Equal Status (ES)

ES Referrals



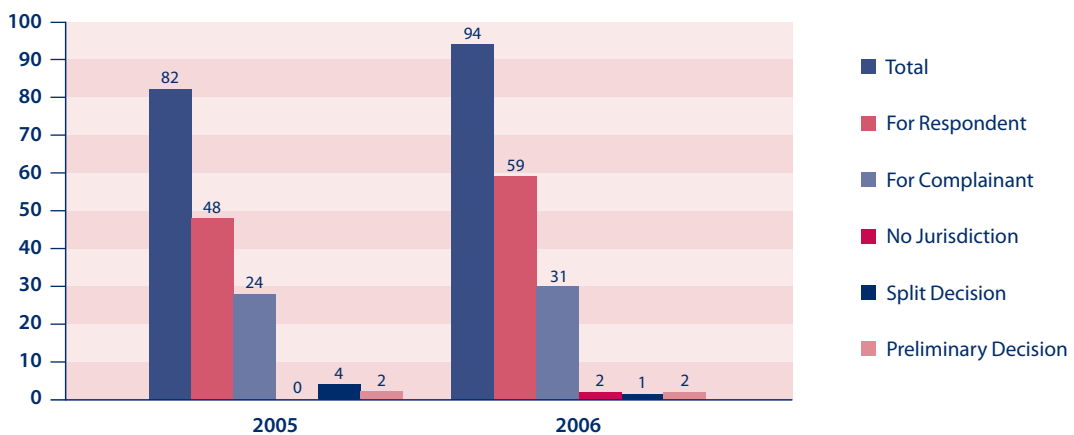
ES Grounds for referral



- The largest number (52) of cases referred in 2006 was on the disability ground
- 16% rise in the number of disability cases
- 77% decrease in the number of age cases

*Where a claim is made under more than one ground it is not counted in each of the grounds on which the claim is based but only in the "Multiple Grounds" category. A full breakdown of referrals including referrals on Multiple Grounds is given in Appendix 6.

ES Decisions



- 15% increase in decisions in 2006
- Equality Officers upheld about one-third of complaints in both years.

ES Otherwise closed

100 other cases were closed in 2006, through being found to be inadmissible, being settled or withdrawn, being dismissed for non-pursuit or other reasons. Many of these cases involved significant work for Tribunal staff at all levels.

ES Awards

- The maximum award under the Equal Status Acts is €6,348.
- In 2006 amounts totalling €60,550 were awarded in compensation where discrimination was found (compared to €38,400 in 2005).
- The average award was €1,187, up on 2005 (€582).
- The highest award was €6,000, compared with €1,500 in 2005.

ES Power to Direct Action

In a number of cases Equality Officers used their power to direct action that would help to prevent future discrimination. Among the specific actions ordered by Equality Officers were that the respondent(s):

- Invite the complainants to return to the premises to enjoy a complimentary drink and indicate to them that they are welcome customers
- Put in place a system facilitating early identification of students who have disabilities or learning difficulties with the aim of directing those students to the appropriate educational services quickly
- Display a sign outside their premises stating that it is a non-discriminatory premises
- Formally train their staff in relation to the requirements of the anti-discrimination legislation.

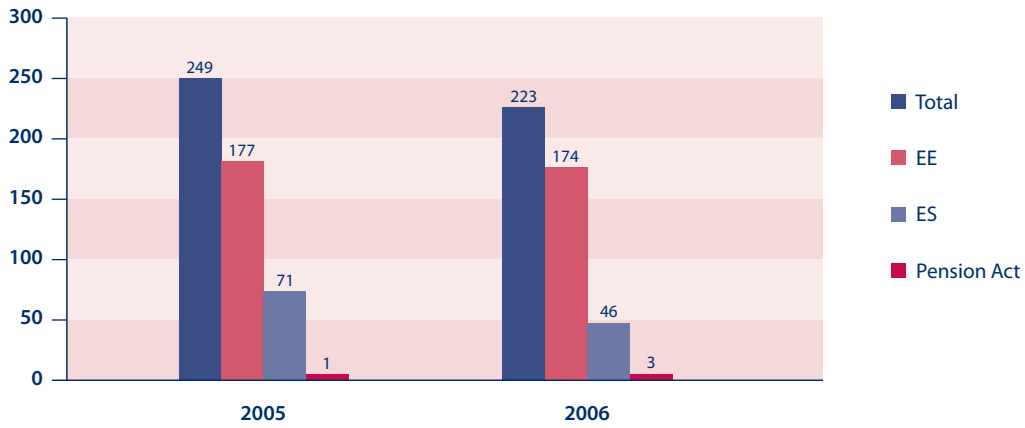
Mediation

both Employment Equality (EE) & Equal Status (ES)

As an alternative to the investigation process the Tribunal offers a statutory mediation option. The Director will send a case to mediation if neither party objects and if she thinks it is resolvable through mediation. Mediation is an informal process whereby a mediator, who is neutral and impartial, facilitates the parties to a claim to reach a mutually acceptable agreement. The process is entirely voluntary and either party may terminate it at any stage. Mediation is carried out by an accredited Tribunal mediator (Equality Mediation Officer). Mediation agreements are binding on the parties but are not published by the Tribunal (unlike Equality Officer Decisions). If there is no agreement the investigation process may be resumed, should the complainant so request. Any information disclosed to the Equality Mediation Officer remains confidential to the Mediation Service.

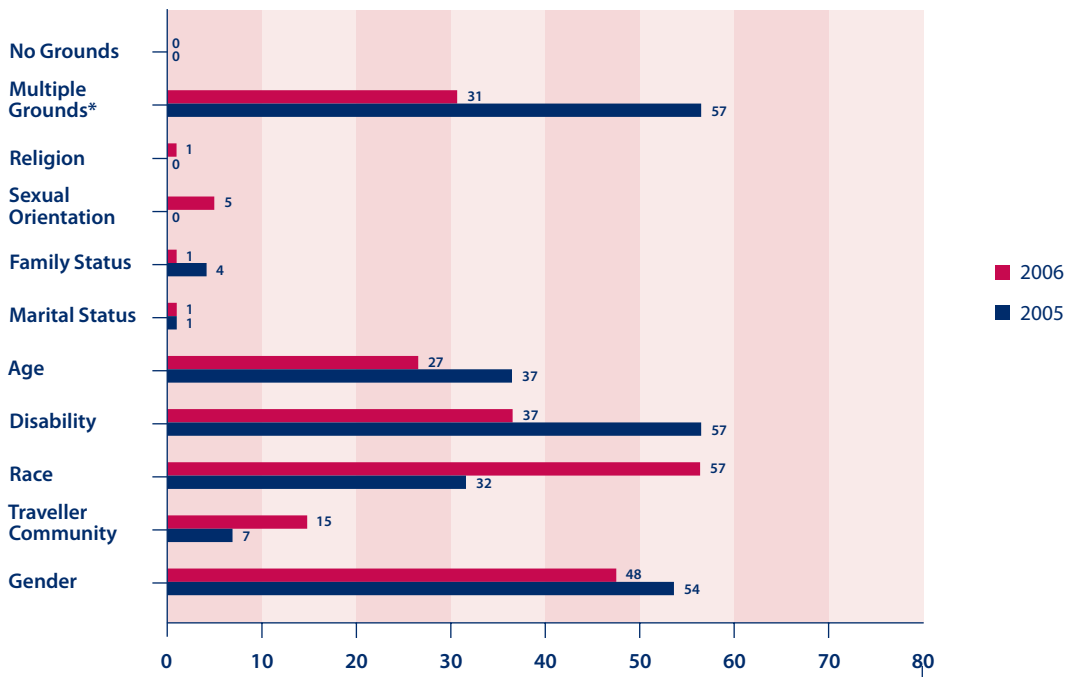
An analytic overview of the operations of the Mediation Service is published in the Mediation Review 2006.

Referrals



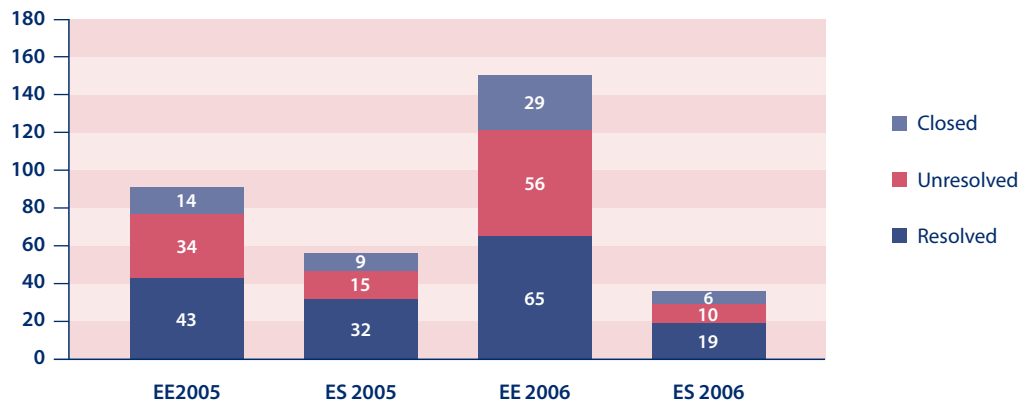
- 223 cases were referred to mediation in 2006 (36% of cases referred) compared to 249 cases in 2005 (40% of cases referred).
- 3 cases were referred for the first time under the Pensions Acts

Mediation Grounds for referral



- 78% increase in mediation referrals on the race ground
- 35% decrease in mediation referrals on the disability ground

Mediation Outcomes



- 185 mediations were conducted in 2006, an increase of 28% on 2005
- 56% cases resolved in 2006 compared to 61% in 2005
- 70% of cases were completed at mediation stage (including agreements) and did not return to investigation
- 84 agreements were reached in 2006 compared to 75 in 2005

3 Environment & Operational Support

Environment

Upholding of Tribunal Procedures

The procedures used by the Tribunal in mediation were upheld by the High Court in 2006. In *Halley v The Equality Tribunal 2006/125JR*, the Tribunal successfully defended Judicial Review proceedings seeking to quash by *certiorari* a decision of the Tribunal. The High Court found that the procedures of the Tribunal under section 78 of the Employment Equality Acts were correct. The applicant had withdrawn from mediation, as a result of which the Equality Mediation Officer issued a non-resolution notice. The procedure is set out in section 78(7) of the Act and states that, unless the applicant requests a resumption of the hearing of the case within 28 days, the investigation file is closed. No request for resumption was sent to the Director. The applicant claimed that the original withdrawal and request for investigation sent prior to the non-resolution notice was sufficient and she was not required to reply to the notice. Feeney J. found that the framework used in section 78(7) was "logical and consistent with the intention of the Oireachtas" and went on to find that the words in the section are "where notice has been issued" and this is a condition precedent and afterwards the applicant can make an application within 28 days. He went on to state that the section "allows the applicant to have notice of termination and gives the opportunity to apply for resumption. The applicant must apply 28 days from the notice issuing; that is after the non-resolution notice has issued." He also stated that "the Tribunal acted in a fair and proper manner at all times."

Decentralisation

In accordance with the Government decision, the Tribunal is due to decentralise to Portarlinton. The Tribunal's Decentralisation Implementation Plan, which follows the recommendations of the Decentralisation Implementation Group, was updated in 2006. The updated plan is on the Tribunal's website. This is the third version of the Decentralisation Plan, which was originally published on 27 May 2004. The first revision was published on 1 June 2005 and an addendum slip updating the Plan was produced on 21 November 2005. The present version shows significant development on the last two, which were drawn up in the early days of the project, particularly in relation to the recruitment of Equality Officers and the retention of facilities for hearing and mediation for local cases in Dublin. At the time of writing (May 2007) a site had not been purchased in Portarlinton but the process of staff recruitment and training for the new location was under way.

Tackling the increasing workload

The number of claims referred to the Tribunal is increasing steadily. There has been a 30% increase in complaints to the Tribunal over the last three years and this, coupled with the extended jurisdiction of the Tribunal, has put enormous pressure on resources. On average the Tribunal completes some 500 cases a year, whether by decision, mediated agreement or where cases are settled, withdrawn or otherwise closed. The high number of referrals makes it increasingly challenging to deal with the excess workload. This excess has arisen due to the

interaction of strong demand and finite resources. At the time of writing the Tribunal had been informed that the Department was seeking to provide significant additional resources to deal with the waiting list and this will enable the Tribunal to increase its throughput significantly.

Some 36% of Tribunal cases now go to mediation following a change in policy in 2004, since then cases are normally assigned to mediation unless there is a specific objection by either party. With the demand for mediation growing, a proposal for the outsourcing of mediation has been approved in principle by the Department of Justice, Equality and Law Reform and the Department of Finance and planning is under way.

Operational Support

Website

The new Content Management System (CMS) for the Tribunal's web site www.equalitytribunal.ie was implemented in October 2005. The site continues to be updated with all information available to the public in hard copy, so that the public does not have to contact the Tribunal seeking this material. The site has had very positive responses from all areas of the public as well as the legal sector, government and the media. The Tribunal upgraded the search facility on its website in September/October 2006. The advanced search functionality allows for faster and more relevant search results. The average monthly number of hits on the website during 2006 was 137,664.

Decisions are generally made available on the website to the public on the third Tuesday of the month following the issue of the decision to the parties.

eGovernment Service Delivery

The Tribunal has, through REACH, the public service eBroker (www.reach.ie), made available the facility for customers to make on-line referrals under Employment Equality legislation. This can be done through Reach Services accessed through the Tribunal's website at www.equalitytribunal.ie. The Tribunal is in discussions with REACH Services with a view to extending the facility to refer complaints under both the Pensions Acts 1990 to 2004 and Equal Status Acts 2000 to 2004. The Tribunal expect to complete this aspect by end of 2007.

Case Management System

In 2005 the Tribunal engaged consultants to carry out a review of the current Case Management System (CMS) and report back with recommendations for a new system. The consultants have completed the review and a comprehensive case management system requirements document has been completed. The Tribunal is in discussions with a number of parties with a view to designing a system to meet the requirements set out in the document.

Citrix

Citrix is an integrated, end-to-end system that seamlessly connects users, devices and networks to enterprise resources. It offers access to centralised applications and provides remote offices access to any device, over any network to any application or information source.

The Tribunal is seeking to move to a Citrix environment for delivery of its information system resources. This will enable secure access to the Tribunal's databases and casework from remote locations. Officers of the Tribunal are required to hold hearings throughout the country, and Citrix will assist in the provision of a better service by enabling Officers to access up to date information wherever there is a fast internet connection. It is also essential in the context of decentralisation.

Document Management System

The Tribunal has purchased a document management system (Digicom) to assist in meeting its requirements with the imminent inclusion of the Tribunal under the Freedom of Information Act. It is envisaged that the document management system will complement the move to a Citrix environment and set the Tribunal on the path towards a less paper-based office.

Publications

During 2006 the Tribunal published the following documents:

- Annual Report 2005
- Legal Review 2005 (in CD format)
- Mediation Review 2005
- Revised information leaflets

The Tribunal published a new series of explanatory leaflets on the Tribunal and what it does. The Tribunal worked closely with the National Adult Literacy Agency (NALA) in the revision of the leaflets and with their help these leaflets have gained the NALA Plain English Quality Mark.

Copies of information leaflets are available in large print, Braille or audio tape on request and in Irish, French, Russian, Polish and Chinese at reception and on the website.

A full list of available publications is given in Appendix 1 and all publications can be downloaded from the Tribunal's website www.equalitytribunal.ie.

Communications

As required by the legislation, the Tribunal published all Decisions issued during the year, both in the media and on the website. The Tribunal also published in June 2006 its Annual Report for 2005, its Legal Review of decisions issued in 2005 and its Mediation Review of agreements signed in 2005, all of which can be viewed and downloaded from the website.

Value for Money

The Equality Tribunal is funded by the Exchequer, through the Department of Justice, Equality and Law Reform. Expenditure totalling €2.05m was incurred by the Tribunal during 2006. This comprised €1.55m in respect of pay and €0.50m in respect of non-pay. Expenditure is monitored constantly and is reviewed on a monthly basis by an internal Budget Committee, chaired by the Director. A budget totalling €2.14m was prepared for 2007 to support the continued operation of the Tribunal.

For details see Appendix 2: Financial Report for 2006.

Training & Development

The Equality Tribunal's goal is to optimise staff performance and development. The Tribunal is very supportive of individuals seeking to gain relevant additional academic qualifications. During 2006

- one member of staff completed studies in Kings Inns leading to qualification as a barrister
- one staff member completed the third year evening diploma course in Legal Studies in the Dublin Institute of Technology

The Equality Tribunal (in conjunction with the Labour Court) developed a modular course with the IPA in quasi-judicial skills and five members of staff participated in this training in 2006. *(For the range of formal qualifications recently achieved or being pursued by the staff of the Equality Tribunal, see Appendix 3.)*

In-house, commissioned or specialist training was given to staff during 2006 in Quasi-Judicial Training, Mediation Training, Management Skills, Customer Service and Personal Development. *A full list of training is given in Appendix 3.*

Expenditure on direct training and development during 2006 fell below target due mainly to staff vacancies. Such expenditure totalled €31,000 which represented 2% of direct payroll costs while indirect costs such as travel to, and subsistence at, conferences and training abroad bring the total to 2.4% of payroll. This excludes expenditure by our parent Department, generic civil service training and indirect training costs such as strategic planning meetings. In addition significant in-house training was delivered, particularly focusing on further enhancing the expertise of Equality Officers.

Customer Service

The Equality Tribunal is committed to providing a high quality and professional service to all users of the Tribunal. We adhere to the Principles of Quality Customer Service endorsed by the Government for the public service and to the Civil Service Code of Standards and Behaviour. The Customer Service Charter sets out the Tribunal's commitments to its customers, users and staff. These commitments are based on our core values and were fully implemented. The Tribunal's services were delivered efficiently and effectively in as helpful a way as possible.

In 2006 there were four complaints to the Tribunal's Customer Services Manager under the formal complaints procedure. All complaints were logged and dealt with promptly and in an objective and courteous manner.

The Tribunal has a contract for translation and interpretation services. This enables the Tribunal to receive and produce documents in a variety of foreign languages and to provide interpretation for a party to a complaint at a hearing/mediation. During 2006 interpretation services were provided for parties in three hearings/mediations.

Freedom of Information

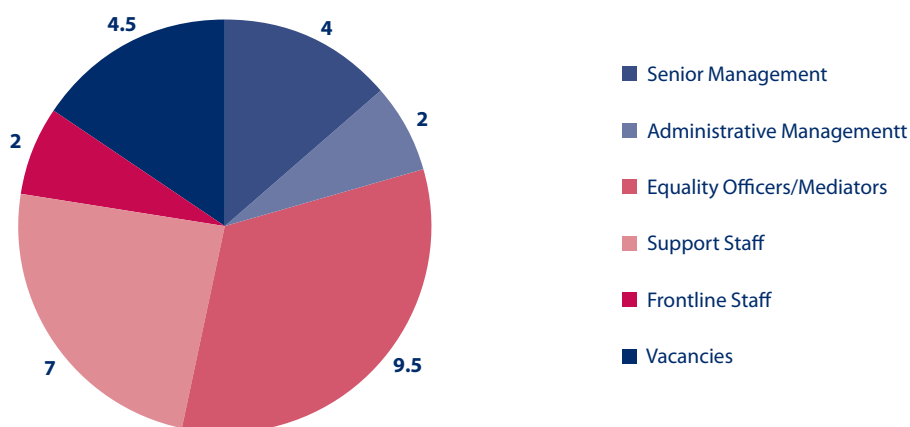
It is proposed to apply the Freedom of Information Act 1997 (as amended) to the Tribunal but the Statutory Instrument to give effect to this decision has not yet been drafted. When applied, the Freedom of Information Act will cover only the administrative functions of the Tribunal. All information of a personal nature will continue to be protected personal information as defined by the Data Protection Acts 1988 and 2003.

Sustaining Progress & PMDS

The Tribunal continued to meet its targets and objectives under Sustaining Progress (Social Partnership Agreement) 2003–2005 and the Performance Management Development System (PMDS).

Staffing

Numbers of staff



An organisation chart of staff of the Tribunal is in Appendix 4.

Appendix 1

Publications available from the Tribunal

Reports

- Annual Reports for 1999 to 2006
- Legal Reviews for 2001 to 2006
- Mediation Reviews for 2002 to 2006
- Strategy Statements for 2001–2003, 2004–2006, 2007–2009 (forthcoming)

Leaflets

General

- GEN1 – Role of The Equality Tribunal
- GEN2 – Customer Service Charter
- GEN3 – Mediation Services

Employment Equality

- EE1 – Employment Equality Acts 1998 and 2004 – Making a Complaint
- EE2 – Employment Equality Acts 1998 and 2004 – Responding to a Complaint

Equal Status

- ES1 – Equal Status Acts 2000 to 2004 – Making a Complaint
 - ES2 – Equal Status Acts 2000 to 2004 – Responding to a Complaint
- (Leaflets are also available in large print, Braille or audio tape on request and in Irish, French, Russian, Polish and Chinese at reception and on the website).*

Guides

- The Employment Equality Acts 1998 and 2004 – Guide to Procedures for Investigating and Mediating Claims
- The Equal Status Acts 2000 to 2004 – Guide to Procedures for Investigating and Mediating Claims
- Mediation Services – Guide to Procedures

Forms

Employment Equality

- EE1 – Referral of Complaint of Discrimination in Relation to Employment
- EE2 – Statutory Form of Request to Employer for Information about a Possible Incident of Discrimination
- EE3 – Statutory Form of Reply from Employer to Request for Information

Equal Status

- ES1 – Notification to a Service Provider about a Possible Incident of Discrimination
- ES2 – Reply to Notification
- ES3 – Complaint to the Equality Tribunal of discrimination in provision of goods, services or facilities

Mediation

- ET6 – Agreement to Mediation

Pensions

- PA1 – Referral of Complaint under the Pensions Acts

(Forms are also available in Irish)

Appendix 2

Financial Report for 2006

Financial Report for 2006	
	€
Pay	1.55m
Non-pay	0.50m
Total	2.05m

The main areas of non-pay expenditure	
	€
Accommodation	80,000
Communications & Promotion	20,000
Design & Printing	15,000
Information Technology	54,000
Legal	35,000
Library	30,000
Office Equipment	12,000
Telephone & Postage	49,000
Training	31,000

Expenditure on casework which required hearings to be conducted in locations outside the Equality Tribunal's headquarters gave rise to expenditure of €68,000.

Energy usage & Recycling

In accordance with Government Decision S180/20/10/0269 on Energy Efficiency in Public Sector Buildings, the Equality Tribunal takes steps to reduce energy usage, including participating in the ESB's Winter Demand Reduction Incentive and maintaining recycling arrangements for paper and glass, printer and copier toner cartridges.

Prompt payments

The Equality Tribunal continued to comply with the Prompt Payment of Accounts Act 1997 as amended by the European Communities (Late Payment in Commercial Transactions) Regulations 2002. Interest charges totalling €195.56 were incurred during 2006.

Third level qualifications obtained or being pursued in 2006

- Mediation (Part 2 MII)
- Humanities (BA)
- Kings Inns (Degree Course)
- Digital Media Technologies (MA)

In-house training during 2006

In-house, commissioned or specialist training was given to staff in 2006 as follows:

- Mediation Training
- Sharpen Your People Management Skills
- Dealing with Difficult Customers
- Customer at the Centre of Public Service Delivery
- Advanced Techniques of Coaching and Mentoring
- Minute Taking Made Easy
- Moving towards the Public Sector of the Future
- Freedom of Information
- Data Protection
- Interview Training
- Spanish
- Awareness Training
- Bullying and Harassment
- Legal
 - Quasi Judicial Training
 - Developments in Litigation & Investigative Process
 - Human Rights
 - Discrimination Law and Practice
 - Employment Law
 - Cohabitation: Models for Legal Reform

Appendix 4

Organisation Chart of the Equality Tribunal

(as at 31 December 2006)

Director		
Melanie Pine		
Employment Equality	Equal Status	Mediation
Deirdre Sweeney <i>Head of Employment Equality</i>	John Hurley <i>Head of Equal Status</i>	Vacancy * <i>Head of Mediation also Head of Secretariat</i>
Gerardine Coyle Vivian Jackson Anne-Marie Lynch Mary Rogerson Raymund Walsh <i>Equality Officers</i>	Marian Duffy Dolores Kavanagh Brian O'Byrne Mary O'Callaghan Bernadette Treanor <i>Equality Officers</i>	Brian O'Byrne * <i>Acting Head of Mediation</i> Gerardine Coyle* Marian Duffy * Vivian Jackson* Dolores Kavanagh* Mary O'Callaghan * Mary Rogerson* Bernadette Treanor* Raymund Walsh * <i>* Equality Mediation Officers</i>
Resource Management		
Legal Management	Corporate Resources	Secretariat
Sile Larkin <i>Legal Advisor</i>		Vacancy* <i>Head of Secretariat (also Head of Mediation)</i>
	Brenda Ward <i>Corporate Resources Manager (reports to Director)</i>	
	Aileen O'Gorman <i>Office Manager</i>	Alan McDonnell <i>Deputy Registrar/ Secretariat Unit Manager</i>
Frances Flynn <i>Legal Research Assistant</i>		Brian Farrell <i>Executive Officer</i> Vacancy <i>IT Manager</i>
Deirdre McCormack <i>Legal Unit Support Officer</i>	Noel Kelly Vacancy <i>Corporate Resources Support Officers</i>	Susan Fetton Kristian Reiman Paul Johnson Vacancy <i>Secretariat Support Officers</i>
	John Fitzgerald Joe Pettigrew <i>Services Officers</i>	

*These staff members have dual roles. Eight Equality Officers also act as Equality Mediation Officers (mediators) and the Head of Mediation also acts as Head of Secretariat.

Appendix 5

Users Forum as at end 2006

- Bar Council
- Health Service Employers' Agency
- Incorporated Law Society
- Irish Business and Employers' Confederation
- Irish Congress of Trade Unions
- Irish Insurance Federation
- Irish Traveller Movement
- National Consultative Committee on Racism and Interculturalism
- National Gay and Lesbian Federation
- National Women's Council of Ireland
- People with Disabilities in Ireland Ltd

Appendix 6

Breakdown of Cases

Referred to Equality Tribunal by Ground 2005–2006

Cases Referred to the Equality Tribunal						
Grounds	Equal Status Acts 2000–2004		Employment Acts 1998–2004		Pensions Acts 1990–2004	
	2005	2006	2005	2006	2005	2006
Age	39	9	44	47	3	3
Age, disability	3		1	7		
Age, disability, gender			1			
Age, disability, gender, marital status, race	1					
Age, disability, family status, gender, marital status				1		
Age, family status		1	1			
Age, family status, gender, marital status			1	1		
Age, family status, race				1		
Age, gender			13	5		1
Age, gender, marital status			2	2		
Age, gender, marital status, race			1	1		
Age, gender, race		1				
Age, membership of the Traveller community	2					
Age, race			2	1		
Age, race, religion			1	2		
Age, race, sexual orientation						
Disability	45	52	67	54		2
Disability, family status	2	2		3		
Disability, family status, gender				1		
Disability, family status, gender, marital status	2		3			
Disability, family status, marital status				1		
Disability, family status, marital status, sexual orientation	2					
disability, gender	4	2	4	1		
Disability, gender, marital status	2	3	1			
Disability, gender, religion	1					
Disability, gender, sexual orientation	1					
Disability, gender, marital status, religion				1		
Disability, marital status	4					
Disability, membership of the Traveller community	13	4				
Disability, race	5	4	4	4		
Disability, race, religion	1		1			
Family Status	1		2	4		
Family status, gender	2	2	18	13		
Family status, gender, marital status			15	5	1	
Family status, gender, marital status, religion			1			
Family status, gender, marital status, membership of the Traveller community		1				

Cases Referred to the Equality Tribunal						
Grounds	Equal Status Acts 2000–2004		Employment Acts 1998–2004		Pensions Acts 1990–2004	
	2005	2006	2005	2006	2005	2006
Family status, gender, race	1			1		
Family status, marital status	1		2			
Family status, marital status, race			1			
Family status, marital status, religion				1		1
Family status, race				2		
Family status, religion			1			
Gender	12	7	89	74	2	1
Gender, marital status	2	2	8	4		
Gender, marital status, race				1		
Gender, marital status, religion, sexual orientation	1					
Gender, marital status, sexual orientation	1			1		
Gender, race			9	19		
Gender, race, religion			1	1		
Gender, sexual orientation			1	5		
Grounds not stated	7	6	13	16		1
Marital status	4	7	2		1	1
Marital status, , membership of the Traveller community		1				
Marital status, race	1					
Membership of the Traveller community	31	18	2			
Membership of the Traveller community, race	9	25	2			
Race	15	15	80	146		3
Race, religion	1	1	1	5		
Race, sexual orientation	2			1		
Religion	2	1	2	2		1
Sexual orientation	3	2	4	7		
Totals	223	166	401	448	7	14



THE EQUALITY TRIBUNAL
AN BINSE COMHIONANNAIS

Tuarascáil Bhliantúil 2006

Arna tíolacadh de réir alt 75(8)
de na hAchtanna um Chomhionannas Fostaíochta
1998 and 2004 chuig an Iar-Thánaiste agus an Iar-Aire Dlí
agus Cirt, Comhionannas agus Athchóirithe Dlí,
Michael McDowell Uasal, T.D.

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Melanie Pine, Stiúrthóir

Is mór agam Tuarascáil Bhliantúil an Bhinse Comhionannais do 2006 a chur faoi bhráid an Iar-Thanáiste agus an Iar-Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí, de réir mo dhualgais reachtúil faoi Alt 75 (8) de na hAchtanna um Chomhionannas Fostaíochta 1998 agus 2004.

Le linn 2006, chuir níos mó ná 7,000 duine gearáin faoi idirdhealú midhleathach ar aghaidh chuig an mBinse Comhionannais.

- Bhí ardú 12% ar líon na gcásanna faoi idirdhealú ag an obair, rud a chiallaíonn gur tháinig méadú 50% ar na cásanna fostaíochta sa dá bhliain dheireanacha. Áirítear orthu sin, méadú suntasach ar líon na n-éileamh ar fhorais chine agus líon an-ard éileamh a líomhnaíonn dífhostú ar chúiseanna idirdhealaithe.
- Tá a dhá oiread níos mó cásanna ina líomhnaítear idirdhealú maidir le pinsin, cé gur beag an líon a bhí ann roimhe. Ba iad cine, aois agus míchumas na príomhfhorais a luadh.
- Tháinig laghdú ar líon na gcásanna um stádas comhionann ó 223 go 166. Bhí sé seo le feiceáil go soiléir i dtaobh fhoras na haoise.

De réir mar atá an reachtaíocht á leagan síos tugann an Binse faoi deara go bhfuil líon suntasach cásanna ina gceisteanna casta dlíthiúla agus beidh gá le diantaighde agus géariniúchadh a dhéanamh ar an reachtaíocht rialaithe. Cé go leantar le roinnt cásanna a chinneadh ar cheisteanna fírice, in ainneoin sin, le linn 2006, d'eisigh an Binse cinntí i raon réimsí a ndearnadh an dlí a shoiléiriú iontu.

I rith 2006, lean táirgiúlacht an Bhinse ag fás, sin in ainneoin diandúshláin ó thaobh sholáthar foirne. Don chuid is mó den bhliain, bhí folúntais ag an mBinse ag gach leibhéal ina fhoireann tacaíochta agus ina fhoireann bhainistíochta agus bhí athrúchán suntasach foirne ann. D'ainneoin an mhéadaithe iarmhartaigh in obair mhíchuí riaracháin d'Oifigigh agus Idirghabhálaithe Comhionannais, tháinig ardú 8% ar líon na gcinntí a eisíodh agus méadaíodh líon na n-idirghabhálacha a réitíodh 12%. Is éacht suntasach é seo cibé cad iad na himthosca. Rinne an fhoireann riaracháin gaisce roinnt tacaíochta a chothú do na foirne fiosrúcháin agus idirghabhála agus iad ag deileáil le custaiméirí agus an Binse á fheidhmiú ag an am céanna. Ba mhian liom mo bhuíochas agus omós a chur in iúl don fhoireann go léir as seo. Caithfidh mé a rá go bhfuil na folúntais sin líonta agus mé á scríobh seo.

In ainneoin tréanarrachtaí an Bhinse, lean amanna feithimh le cásanna a shannadh go hOifigigh Chomhionannais chun fiosrúchán adhéanamh orthu ag fás. Bhí sé seo amhlaidh go sonrach maidir le comhionannas fostaíochta mar gheall ar an bhfás ar líon na n-éileamh. Thar ceann gach duine a raibh baint acu leis na cásanna ós ár gcomhair, táim buíoch go háirithe as tacaíocht an Iar-Air Dlí agus Cirt agus na Roinne as foireann bhreise a fháil, atá le teacht i bhfeidhm i 2007, chun a chur ar ár gcumas deireadh a chur leis na moilleanna sin sa dá bhliain amach romhainn.

Maidir le díláirú, rinne an Binse an-dul chun cinn maidir lena bhogadh beartaithe go Cúil an tSúdaire. Cé nach bhfuil cóiríocht bhuan faighte againn go fóill, le linn 2006, sannadh roinnt foireann díláraithe chuig an mBinse, agus táim sásta le socruithe nua atá déanta chun Oifig Chomhionannais a earcú chun obair sa láthair nua. Go háirithe ba mhaith liom buíochas a ghabháil leis an Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí as seo a éascú.

Tuairisc ar Spriocanna Straitéiseacha a Bhaint Amach

Sprioc 1: Fiosrúcháin agus Cinntí

Leanann ár gcinntí ag soláthar ardchaighdeán cosanta in aghaidh idirdhealaithe agus táthar ag cur go mór le saothar cásdlí atá inmharthana agus cothrom. Déanann an Binse anailís ghéar ar thorthaí éisteachtaí achomhairc.

Sprioc 2: Idirghabháil

Lean an Binse ag cur seirbhís idirghabhála éifeachtach agus thapa ar fáil. Bíonn aiseolas ó lucht úsáide dearfach den chuid is mó agus chomh fada agus is eol dúinn comhaontuithe buana a rinneadh agus chuir siad ar chumas an dá pháirtí na ceisteanna a réiteach agus bogadh ar aghaidh. Arís eile, b'acmhainn an-luachmhar í an idirghabháil don Bhinse i 2006 agus cuireadh 70% de na gearáin go hidirghabháil le linn na bliana agus iad réitithe tríd an tSeirbhís Idirghabhála.

Sprioc 3: Seirbhís ar Ardchaighdeán

Cuireann gearáin chuig an mBinse ar ár gcumas mionchoigeartú a dhéanamh ar ár seirbhísí. Leanaimid ag cur éisteachtaí nó idirghabhálacha ar ardchaighdeán ar fáil i mBaile Átha Cliath nó lasmuigh, ag brath ar sheoltaí na bhfreagróirí. Leanamar chomh maith ag foilsiú cinntí (ag coimeád ainmneacha páirithe rúnda nuair ba chú) agus ag cothabháil ár mbunachair cinntí bunaithe ar an ngréasán agus i 2006 rinneamar athchóirú ar ár mbileoga eolas chun an Plain English Quality Mark a bhaint amach.

Mar fhocal scoir ba mhaith liom buíochas an Bhinse a chur in iúl as tacaíocht leanúnach ón Aire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí, ón Ard-Rúnaí agus ón Roinn. Gosonrach, chuaigh na Rannáin Chomhionannais, Pearsanra, Airgeadais agus IT as ambealach chun cabhair phraiticiúil a thabhairt dúinn le linn na bliana, rud a chuaigh go mór i gcionn orainn.

Melanie Pine

1 An Binse Comhionannais

Is é an Binse Comhionannais an comhlacht neamhspleách a cuireadh ar bun faoin dlí chun cinneadh nó idirghabháil a dhéanamh maidir le gearáin a dhéantar faoi idirdhealú mídhleathach. Áirítear ar ár ndlíne gearáin a bhaineann le fostaíocht, sochair ghairme (e.g. pinsin) agus stádas comhionann (rochtain ar earraí agus ar sholáthar seirbhísí).

Tá sé mí-dleathach idirdhealú a dhéanamh, ar aon cheann de na forais seo a leanas, i ndáil le hobair nó pinsin nó le linn earraí agus seirbhísí a sholáthar:

- Inscne
- Stádas Pósta
- Stádas Teaghlaigh
- Claonadh Gnéis
- Reiligiún
- Aois
- Míchumas
- Cine
- Comhaltas de Phobal an Lucht Siúil

Ról an Bhinse Comhionannais

Aon duine a mheasann go bhfuil idirdhealú déanta ina choinne nó ina coinne (i.e. gur déileáladh leis nó léi le níos lú fabhar), ar aon cheann de na naoi bhforas a liostaítear thuas, is féidir leis nó léi cás a thionscnamh chuig an mBinse Comhionannais. Ní gá ionadaíocht dhlíthiúil nó eile. Cuireann an Binse dhá rogha ar fáil: idirghabháil nó imscrúdú. Cuirtear cás faoi idirghabháil más rud é nach gcuireann ceachtar páirtí i gcoinne idirghabhála agus má mheasann an Stiúrthóir go bhféadfaí a cás a réiteach trí idirghabháil. Cabhróidh Idirghabhálaí Binse oile leis na páirtithe teacht ar chomhaontú a bheidh inghlactha ag an dá thaobh. Aon chomhaontuithe a dhéantar trí idirghabháil, tá siad ceangailteach de réir dlí agus ní fhoilsíonn an Binse iad.

Más rud é, áfach, go gcuireann ceachtar páirtí i gcoinne idirghabhála nó nach mbíonn comhaontú ann tar éis idirghabhála, déanfaidh an Binse an cás a imscrúdú. Is é atá i gceist ná scrúdú foirmiúil a dhéanamh ag Oifigeach Comhionannais neamhchlaonta. Iarrfaidh an tOifigeach Comhionannais ar an dá thaobh a gcuid fianaise a leagan amach i scríbhinn, éistfidh sé nó sí an fhianaise ag comhéisteacht agus eiseoidh sé nó sí Cinneadh ina dhiaidh sin agus a c(h)úiseanna á dtabhairt aige/aici. Tá cinntí ceangailteach de réir dlí agus foilsíonn an Binse iad.

Is féidir cásanna a thionscnamh chuig an mBinse faoi na hAchtanna seo a leanas:

- Na hAchtanna um Chomhionannas Fostaíochta 1998 agus 2004
Eisceacht: maidir le cásanna ar fhoras inscne, féadfar iad a thionscnamh chuig an gCúirt Chuarda freisin
- Na hAchtanna um Stádas Comhionann 2000-2004
Eisceacht: maidir le cásanna faoi áitribh cheadúnaithe agus faoi chlubanna cláraithe, ní mór iad a thionscnamh sa Chúirt Dúiche
- Achtanna na bPinsean 1990-2004

Misean an Bhinse Comhionannais

- Cuidiú le comhionann, mar chomhlacht reachtúil neamhspleách, trí éilimh faoi idirdhealú mídhleathach a líomhnaítear a shocrú nó idirghabháil a dhéanamh maidir leo.
- Oibriú de réir phrionsabail an cheartais nádúrtha, an cheartais bhunreachtúil agus lár-luachanna an Bhinse, is iad sin:
 - Neamhchlaontacht
 - Gairmiúlacht
 - Insroíchteacht
 - Tráthúlacht

2 Oibríochtaí an Bhinse sa bhliain 2006

Nóta: Maidir leis an bhfaisnéis staitistiúil go léir atá sna táblaí agus sna cairteanna sa chaibidil seo, tugtar í mar chásanna grúpáilte seachas mar éilimh ar leithligh. Dá bhrí sin, d'fhéadfadh níos mó ná gearánach amháin a bheith ann maidir le gach cás ar leith. San iomlán, rinne níos mó ná 7,000 duine aonair gearáin chuig an mBirse sa bhliain 2006.

Cásanna a Tarchuireadh		
	2005	2006
An líon iomlán cásanna a tarchuireadh	631	628
Comhionannas Fostaíochta	399	448
Comhaontuithe Comhpháirteacha	2	0
Stádas Comhionann	223	166
Achtanna na bPinsean	7	14

Torthaí sa bhliain 2005 agus sa bhliain 2006 (Grúpáilte)		
	2005	2006
Torthaí foriomlána	548	520
Comhionannas Fostaíochta	243	304
Cinntí	62	63
Comhaontuithe tar éis idirghabhála	41	65
Críchnaithe ar shlí eile	140	176
Stádas Comhionann	305	213
Cinntí	82	94
Comhaontuithe tar éis idirghabháil	28	19
Críchnaithe ar shlí eile	195	100
Achtanna na bPinsean*	0	3
Cinntí	0	0
Críchnaithe ar shlí eile	0	3

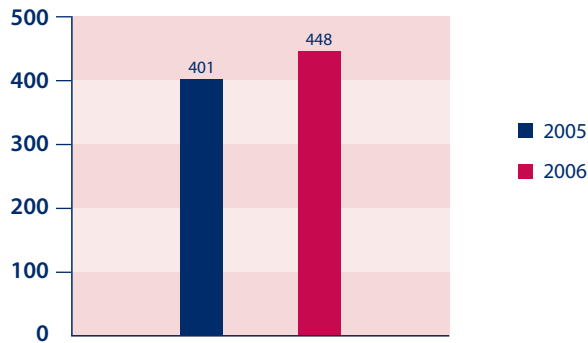
*Nóta: Ní raibh dlínse ag an mBirse, go dtí Aibreán 2004, chun idirghabháil a dhéanamh i ndáil le nithe a bhaineann le pinsin.

An tSeirbhís Imscrúdaithe

Tosaíonn imscrúdú nuair a chuirtear éileamh laistigh de na hAchtanna faoi bhráid an Bhinse. Ní féidir leis an mBirse éileamh a thionscnamh. Is próiseas gar-bhreithiúnach é an t-imscrúdú a dhéanann Oifigeach Comhionannais an Bhinse. De ghnáth, iarrann Oifigigh Chomhionannais an Bhinse, a shuíonn mar bhinsí comhaltaí aonair, eolas agus déanann siad breithniú air ón dá pháirtí sula socraíonn siad comhéiteacht ar an gcás ina ndéantar breithniú ar an bhfianaise go léir agus cinneadh. I gcás go gcinntear gur tharla idirdhealú, déantar ordú cúitimh. Tá Cinneadh Oifigeach Comhionannais maidir le héileamh faoi idirdhealú ceangailteach agus inchurtha i bhfeidhm leis an dlí. Eisítear an cinneadh, ina mbíonn cúiseanna iomlána de ghnáth, i scríbhinn tar éis na héiteachta, agus is gá é a fhoilsiú.

Is féidir achomhairc a dhéanamh chuig an gCúirt Oibreachais faoi chinntí faoi na hAchtanna um Chomhionannas Fostaíochta agus Achtanna na bPinsean agus chuig an gCúirt Chuarda faoi chinntí faoi na hAchtanna um Stádas Comhionann.

Comhionannas Fostaíochta (CF) Cásanna CF a Tarchuireadh (grúpáilte)



- méadú 12% ar an líon cásanna a tarchuireadh i gcomparáid leis an mbliain 2005.
- rinneadh 448 cás (ina n-áirítear 6,638 ngearánach) a tharchur sa bhliain 2006.

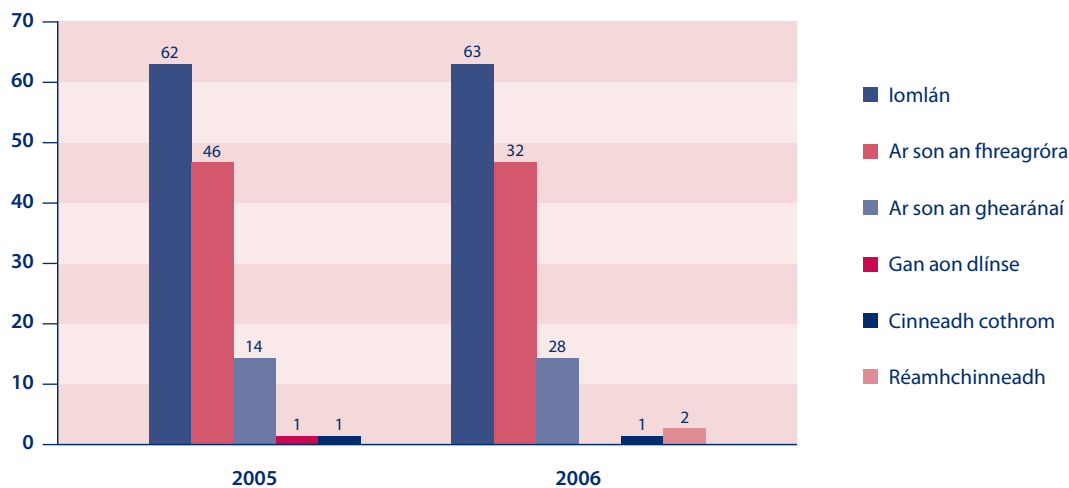
Na Forais Chomhionannais Fostaíochta (CF) le cásanna a tharchur



- cine is ea an príomhfhoras le cásanna a tharchur
- méadú 78% ar líon na gcásanna cine

* I gcás ina ndéantar éileamh ar níos mó ná foras amháin, ní dhéantar an t-éileamh a chomhaireamh faoi gach ceann de na forais ar a ndéantar é ach déantar é a chomhaireamh san earnáil "Ilfhorais". Tá miondealú iomlán ar líon na gcásanna a tarchuireadh, lena n-áirítear cásanna a tarchuireadh ar Ilfhorais, le fáil in Aguisín 6.

Cinntí CF (grúpáilte)



- eisíodh 63 cinneadh a chlúdaigh 2,161 cinneadh ar leithligh i gcomparáid le 62 cinneadh a eisíodh sa bhliain 2005.
- rinne Oifigigh Chomhionannais cinneadh ar son an ghearánaí i dtuairim is 44% de na cinntí.

Cásanna CF a chríochnaíodh ar shlí eile

Rinneadh 176 cás eile a chríochnú sa bhliain 2006, (méadú 26% ar 2005) trína chinneadh nach raibh siad inghlactha nó trína réiteach nó trína dtarraingt siar le linn an imscrúdaithe nó trína ndíbhne mar gheall ar neamhshaothrú. Bhí an-chuid oibre i gceist i go leor de na cásanna sin ó fhoireann an Bhinse ag gach leibhéal.

Dámhachtainí CF

- €364,061 a bhí san iomlán (gan pá comhionann agus riaráistí pá etc. san áireamh) a dhámhadh mar chúiteamh i leith cásanna inar cinneadh go raibh idirdhealú ann.
- Ba é €10,113 an meán-dámhachtain i gcomparáid le €8,643 sa bhliain 2005.
- €40,000 a bhí sa dámhachtain ab airde.
- Dámhadh pá comhionann i 5 cás.
- I gcás dámhachtainí do dhuine atá ar fostú ag an bhfreagróir, d'fhéadfadh suimeanna suas go pá dhá bhliain, nó pá comhionann móide riaráistí, más cuí, a bheith i gceist €12,697 atá sa dámhachtain uasta do dhuine nach fostaí de chuid an fhreagróra.

Cumhacht CF chun Gníomh a Ordú

I roinnt cásanna, d'úsáid Oifigigh Chomhionannais a gcumhachtaí chun gníomh a ordú a bheadh ina chabhair chun idirdhealú ina dhiaidh sin a chosc. Bhí na nithe seo a leanas san áireamh sna horduithe a rinneadh:

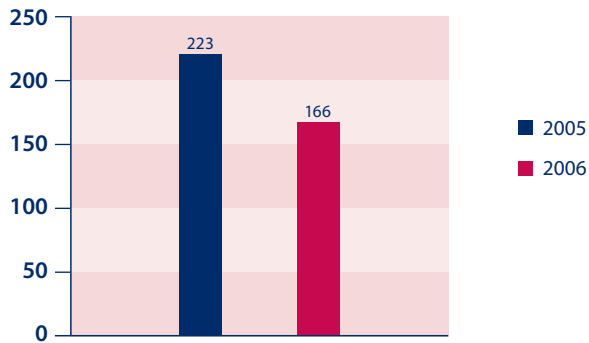
- ceapadh/athcheapadh an duine chuig an bpost a bhí faoi dhíos póid le héifeacht siarghabhálach ó dháta an idirdhealaithe
- meicníocht a chur ar fáil lena chinntiú go leanfar le fostaithe atá as láthair ón obair ar shaoire reachtúil, go háirithe saoire mháithreachais, ar an eolas maidir le ceisteanna a bhféadfadh tionchar a bheith acu ar a gcuid fostaíochta
- polasaí comhdheiseanna a thabhairt isteach chun forálacha na nAchtanna um Chomhionannas Fostaíochta 1998 agus 2004 a chur i gcuntas
- polasaí chun ciapadh agus ciapadh gnéis a chosc san áit oibre de réir an Chóid Cleachtas maidir le Ciapadh Gnéis agus Ciapadh san Áit Oibre a thabhairt isteach agus é a thaispeáint go buan in áit fheiceálach in áitribh an fhreagróra
- nósanna imeachta roghnaithe a thabhairt isteach i ngach próiseas earcaithe/ardaithe céime amach romhainn ina mbeidh san áireamh, cur i bhfeidhm córas foirmiúil marcála, iarrthóirí a rangú de réir an chórais marcála sin agus nótaí an Bhoird Agallaimh a choimeád ar feadh dhá mhí dhéag ar a laghad
- athbhreithniú a dhéanamh ar na nósanna imeachta fostaíochta go léir, lena n-áirítear an polasaí earcaíochta, nósanna imeachta gearáin agus smachtaithe, riachtanais reachtúla agus na hoibleagáidí go léir eile, chun a chinntiú go bhfuil a dhualgas cúraim á chomhlíonadh ag an bhfostóir i leith a oibríthe iasachta
- sochair a bhaineann le seirbhís a chreidiúnú lena n-áirítear saoire bhliantúil chuig an ngearánaí
- taifead saoire bhreiteachta an ghearánaí a leasú chun go léireodh sé a fholláine dul ar ais chun na hoibre
- socrúithe le bheith déanta ina ndéanfaidh an gearánaí cúrsa oiliúna as a n-íocfaidh an freagróir na táillí agus na costais ghaolmhara sa ghnáthshlí
- uainchlár nua a chur i bhfeidhm nach ndéanann idirdhealú neamhdhíreach in aghaidh na ngearánaithe ar fhoras inscne

Achtanna na bPinsean

Cásanna a Tarchuireadh agus Cinntí

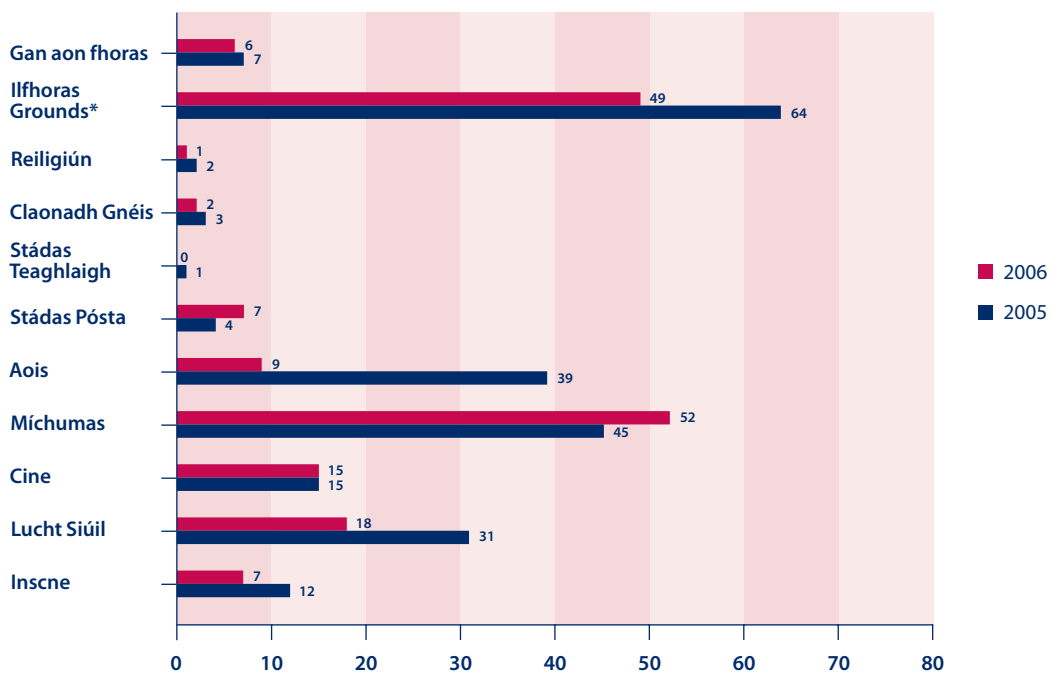
- Tarchuireadh 14 cás sa bhliain 2006 (7 gcinn sa bhliain 2005) ar cásanna iad inar luadh Achtanna na bPinsean.
- Cine (3), Aois (3), Míchumas (2) ba iad na príomhfhórais a luadh i ndáil leis an tarchur.
- Níor eisíodh aon chinntí sa bhliain 2006 faoi Achtanna na bPinsean.

Stádas Comhionann (SC) Cásanna SC a Tarchuireadh



- Laghdú 26% ar an líon cásanna stádais chomhionainn a tarchuireadh i comparáid leis an mbliain 2005

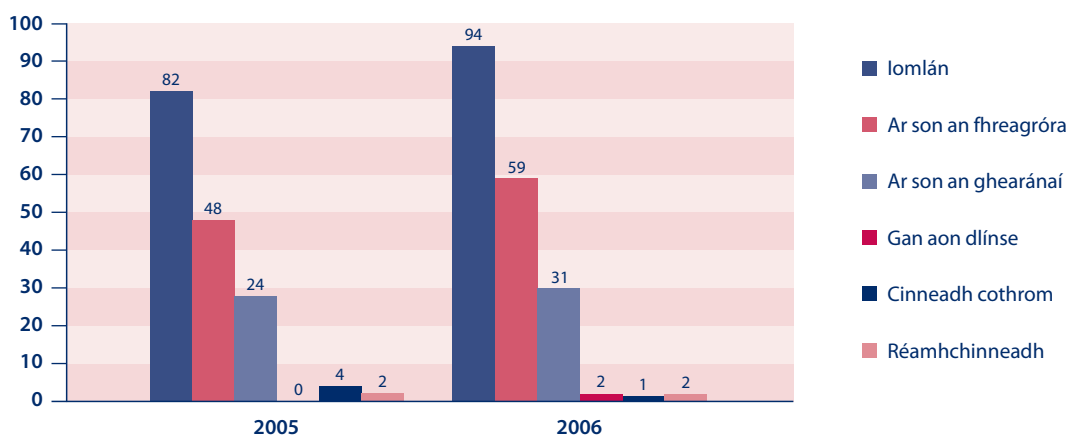
Na Forais (SC) le cásanna a tharchur



- An foras míchumais ba chúis leis an líon ba mhó cásanna (52) a tarchuireadh sa bhliain 2006
- Bhí méadú 16% ar líon na gcásanna míchumais
- Laghdú 77% ar líon na gcásanna aoise

* I gcás ina ndéantar éileamh ar níos mó ná foras amháin, ní dhéantar an t-éileamh a chomhaireamh faoi gach ceann de na forais ar a bhuil an cás bunaithe ach déantar é a chomhaireamh san earnáil "Ilfhorais" amháin. Tá miondealú iomlán ar líon na gcásanna a tarchuireadh, lena n-áirítear cásanna a tarchuireadh ar Ilfhorais, le fáil in Aguisín 6.

Cinntí SC



- Méadú 15% ar chinntí sa bhliain 2006
- Sheas Oifigigh Chomhionannais le tuairim is aon trian de na gearáin sa da bhliain.

Cásanna SC a chríochnaíodh ar shlí eile

Rinneadh 100 cás eile a chríochnú sa bhliain 2006, trína chinneadh nach raibh siad inghlactha nó trína réiteach nó trína dtarraingt siar nó trína ndíbhe mar gheall ar neamshaothrú nó ar chúiseanna eile. Bhí roinnt mhaith oibre i gceist leis na cásanna d'fhoireann an Bhinse.

Dámhachtainí SC

- €6,348 atá sa dámhachtain uasta faoi na hAchtanna um Stádas Comhionann.
- Sa bhliain 2006 rinneadh iomlán de €60,550 a dhámhadh mar chúiteamh i gcásanna inar cinneadh go raibh idirdhealú ann (i gcomparáid le €38,400 sa bhliain 2005).
- €1,187 a bhí sa mheán-dámhachtain, sin méadú i gcomparáid le figiúr na bliana 2005 (€582).
- Ba é €6,000 an dámhachtain ab airde, i gcomparáid le €1,500 sa bhliain 2005.

Cumhacht SC chun Gníomh a Ordú

I roinnt cásanna, d'úsáid Oifigigh Chomhionannais a gcumhachtaí chun gníomh a ordú a bheadh ina chabhair chun idirdhealú ina dhiaidh sin a chosc. Maidir leis na gníomhartha sonracha a d'ordaigh Oifigigh Chomhionannais do fhreagróir/fhreagróirí a dhéanamh, bhí na nithe seo a leanas ina measc:

- Cuireadh a thabhairt do na gearánaithe teacht ar ais chuig an áitreabh agus deoch dea-mhéine a bheith acu agus a chur in iúl dóibh go bhfuil fáilte rompu mar chustaiméirí
- Córas a chur ar bun a éascaíonn go n-aithneofaí mic léinn faoi mhíchumas nó a bhfuil deacrachtaí foghlama acu agus an aidhm a bheith acu na mic léinn sin a dhíriú chuig na seirbhísí cuí oideachais go luath
- Comhartha a chur ar taispeáint ina luaitear gur áitreabh neamhidirdhealaithe é a áitreabh
- Oiliúint fhoirmiúil a chur ar a fhoireann maidir le riachtanais na reachtaíochta in aghaidh idirdhealú.

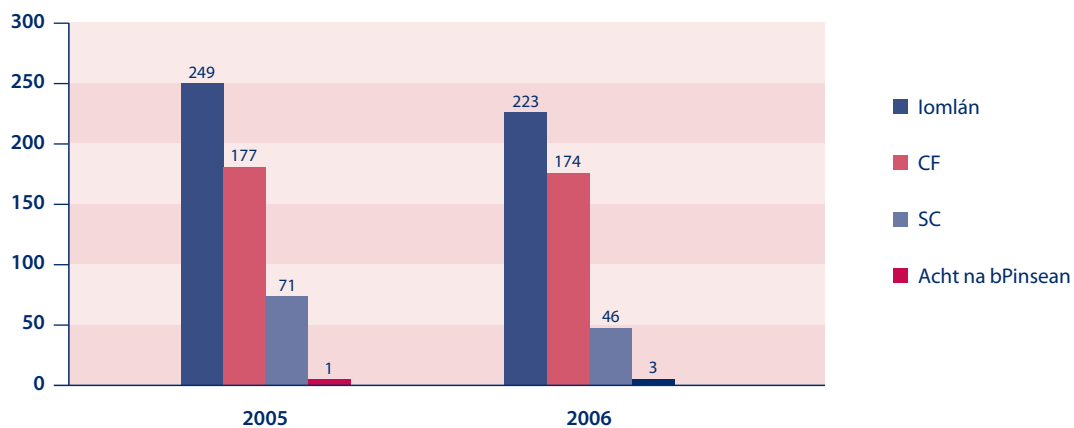
Idirghabháil

Comhionannas Fostaíochta (CF) agus Stádas Comhionann (SC) araon

Mar mhalairt ar an bpróiseas imscrúdaithe tairgeann an Binse rogha reachtúil idirghabhála. Cuirfidh an Stiúrthóir an cás chun idirghabhála mura gcuireann ceachtar den dá pháirtí ina choinne agus má cheapann sí go bhfuil an cás inréitithe trí idirghabháil. Is próiseas neamhfhoirmiúil é idirghabháil ina n-éascaíonn idirghabhálaí, atá neodrach agus neamhchlaonta, éileamh chun comhaontú atá inghlactha ag gach duine a bhaint amach. Is próiseas deonach é amach is amach agus féadfaidh ceachtar den dá pháirtí deireadh a chur leis ag aon am. Is é idirghabhálaí creidiúnaithe an Bhinse (Oifigeach Idirghabhála Comhionannais) a dhéanann an idirghabháil. Tá comhaontuithe idirghabhála ceangailteach ar na páirtithe ach ní fhoilsíonn an Binse iad (rud a dhéantar le Cinntí Oifigeach Comhionannais). Mura bhfuil aon chomhaontú ann, d'fhéafaí an próiseas imscrúdaithe a thosú arís má tá an gearánaí á iarraidh amhlaidh. Fanann aon eolas a nochtar don Oifigeach Idirghabhála Comhionannais a bheith faoi rún don Seirbhís Idirghabhála.

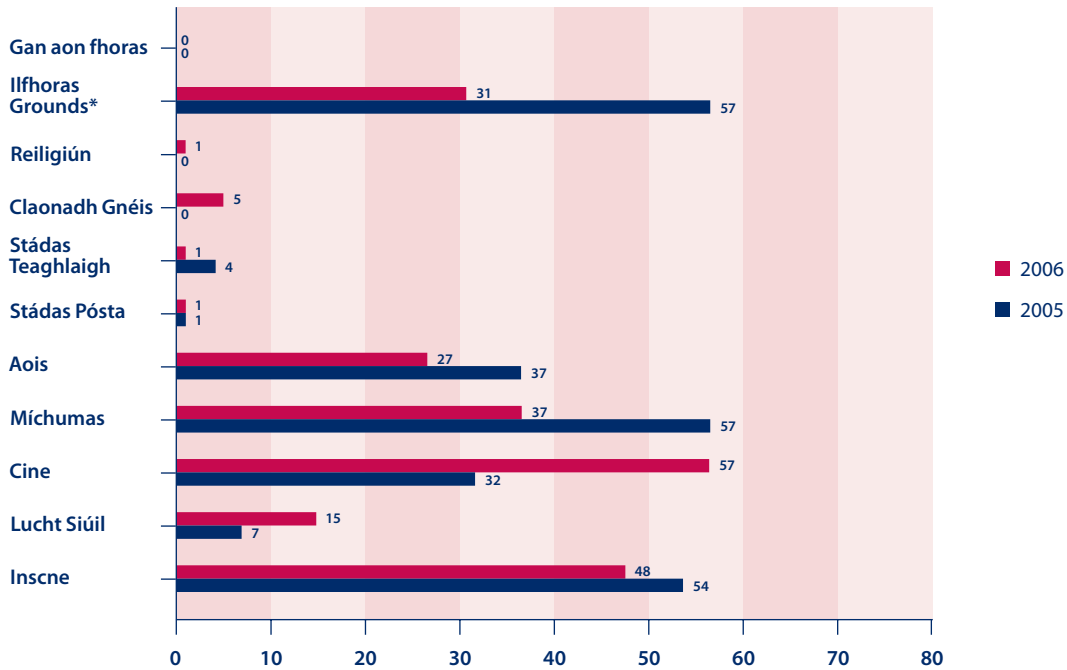
Foilsítear forbheathnú anailíseach ar oibríochtaí na Seirbhíse Idirghabhála san Athbhreithniú Idirghabhála 2006.

Cásanna a Tarchuireadh



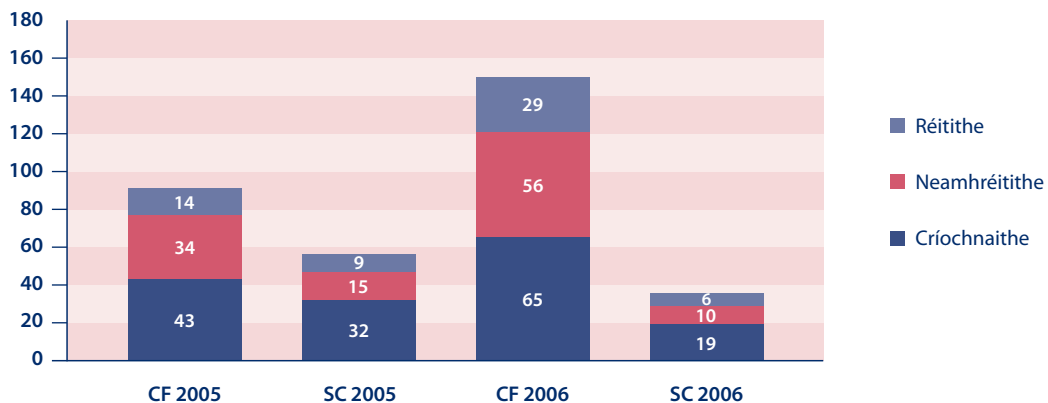
- Rinneadh 223 cás a tharchur chuig idirghabháil sa bhliain 2006 (36% de na cásanna a tarchuireadh) i gcomparáid le 249 chás sa bhliain 2005 (40% de na cásanna a tarchuireadh).
- Tarchuireadh 3 chás don chéad uair faoi Achtanna na bPinsean

Na Forais Idirghabhála le Cásanna a Tharchur



- Méadú 78% ar tharchuir idirghabhála ar an bhforas inscne
- Laghdú 35% ar tharchuir idirghabhála ar an bhforas míchumais

Torthaí Idirghabhála



- Rinneadh 185 idirghabháil sa bhliain 2006, sin méadú 28% i gcomparáid leis an mbliain 2005
- Réitíodh 56% de na cásanna sa bhliain 2006 i gcomparáid le 61% sa bhliain 2005
- Críochnaíodh 70% de na cásanna ag céim na hidirghabhála (lena n-áirítear comhaontuithe) agus níor tháinig siad ar ais chuig imscrúdú
- Baineadh comhaontú amach i 84 cás sa bhliain 2006 i gcomparáid le 75 sa bhliain 2005.

3 Timpeallacht agus Tacaíocht Oibríochtúil

Timpeallacht

Seasamh le Nósanna Imeachta Binse

Sheas an Ard-Chúirt leis na nósanna imeachta a úsáideanna an Binse in idirghabhálacha sa bhliain 2006. I *Halley v The Equality Tribunal 2006/125JR* d'éirigh leis an mBinse imeachtaí Athbhreithnithe Breithiúnach a chosaint inar éirigh leo trí *certiorari* cinneadh de chuid an Bhinse a chur ar neamhní. De réir na hArd-Chúirte, bhí nósanna imeachta an Bhinse faoi alt 78 de na hAchtanna um Chomhionannas Fostaíochta cruinn ceart. Tharraing an t-iarratasóir siar ó idirghabháil, ar a raibh mar thoradh gur eisigh an t-Oifigeach Idirghabhála Comhionannais fógra neamhréitithe. Tá an nós imeachta leagtha amach in alt 78(7) den Acht agus dearbhaíonn sé, mura ndéanann an t-iarratasóir iarratas go leanfaí ar aghaidh le héisteacht an cháis laistigh de 28 lá, dúntar an comhad imscrúdaithe. Níor cuireadh aon iarratas go leanfaí ar aghaidh leis chuig an Stiúrthóir. Mhaígh an t-iarratasóir gur leor an bhuntarraingt siar agus an buniaratas le haghaidh imscrúdaithe a cuireadh ar aghaidh roimh an bhfógra neamhréitithe agus nach raibh gá uirthi freagra a thabhairt don fhógra. De réir Feeney J. bhí an creat a úsáideadh in alt 78(7) "loighciúil agus ag teacht le cuspóir an Oireachtais" agus ina theannta sin gurb iad na focail san alt "más rud é gur eisíodh fógra" agus gur réamhchoinníoll é seo agus ina dhiaidh sin gur féidir leis an iarratasóir iarratas a dhéanamh laistigh de 28 lá. Chomh maith leis sin, maidir leis an alt, dúirt sé "go ligeann sé don iarratasóir fógra foircinn a fháil agus tugann sé deis iarratas a dhéanamh le haghaidh ataimhde. Ní mór don iarratasóir iarratas a dhéanamh 28 lá ó eisíodh an fógra; is é sin tar éis don fhógra neamhréitithe a bheith eisithe." Dhearbhaigh sé chomh maith "gur fheidhmigh an Binse ar shlí chóir agus oiriúnach an t-am ar fad."

Dílárú

De réir chinneadh an Rialtais, tá an Binse le dílárú chuig Cúil an tSúdaire. Tugadh Plean an Bhinse maidir le Dílárú a Chur i gCrích, atá bunaithe ar mholtaí an Ghrúpa ar Dhílárú a Chur i gCrích, cothrom le dáta i 2006. Tá an plean nuashonraithe ar shuíomh idirlín an Bhinse. Is é sin an tríú leagan den Phlean Díláraithe, agus foilsíodh an Plean ar dtús an 27 Bealtaine 2004. Foilsíodh an chéad leasú an 1 Meitheamh 2005 agus rinneadh duillín breise a thug an Plean cothrom le dáta an 21 Samhain 2005. Léiríonn an leagan atá anois ann dul chun suntasach ar an dá cheann deiridh, ar cinn iad a dréachtaíodh go luath sa tionscadal, go háirithe maidir le hOifigigh Chomhionannais a earcú agus agus áiseanna d'éisteachtaí agus d'idirghabhálacha a choimeád le haghaidh cásanna áitiúla i mBaile Átha Cliath. Ag tráth na scríbhneoireachta (Bealtaine 2007) ní raibh suíomh ceannaithe i gCúil an tSúdaire agus bhí tús leis an bpróiseas foireann a earcú agus oiliúint a chur orthu.

Ag dul i ngleic leis ualach oibre atá ag méadú

Tá líon na n-éileamh curtha chuig an mBinse ag méadú go seasta. Tháinig méadú 30% ar líon na ngearán chuig an mBinse le trí bliana anuas agus tá brú ollmhór ar acmhainní mar gheall air sin agus, ina theannta sin, mar gheall ar dhlínse leathnaithe an Bhinse. Ar an meán, críochnaíonn an Binse tuairim is 500 cás sa bhliain, cibé acu trí chinneadh a thabhairt

nó trí chomhaontú ar bhonn idirghabhála nó trí chásanna a réiteach, a tharraingt siar nó a chríochnú ar shlí eile. Ó tharla go bhfuil méadú ag teacht ar an líon cásanna a tharchuirtear chugainn tá sé ag éirí níos deacra de réir a chéile dul i ngleic leis an ualach oibre breise. Tharla an bharraíocht seo de bharr an naisc idir go leor éileamh agus acmhainní a bhfuil teorainn leo. Ag tráth na scríbhneoireachta cuireadh an Binse ar an eolas go raibh an Roinn ag iarraidh acmhainní breise suntasacha ar fáil chun dul i ngleic leis an liosta feithimh agus cuirfidh sé seo ar chumas an Bhinse, a thréachur a ardú go mór.

Téann tuairim is 36% de chásanna an Bhinse chuig idirghabháil anois tar éis dúinn athrú a dhéanamh ar pholasaí sa bhliain 2004, is é sin le rá, go gcuirtear cásanna chuig idirghabháil mura rud é go ndéanann ceachtar páirtí agóid shonrach ina choinne sin. De bharr go bhfuil méadú ag teacht ar an éileamh ar idirghabháil, tá an Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí tar éis ceadú i bprionsabal a thabhairt chun idirghabháil a asfhoinsiú agus pleanáil á dhéanamh i láthair na huaire.

Tacaíocht Oibríochtúil

An Láithreán Gréasáin

Cuireadh an Córas Bainistíochta Inneachair (CMS) nua do láithreán gréasáin an Bhinse www.equalitytribunal.ie i bhfeidhm i nDeireadh Fómhair 2005. Déantar an láithreán a uasdátú agus an t-eolas ar fad ar fáil don phobal i gcruachóip, mar sin ní gá don phobal dul i dteagmháil leis an mBinse chun an t-ábhar sin a lorg. Tá aiseolas an-dearfach faighte i leith an láithreán ó gach réimse den phobal i gcoitinne agus, freisin, ó earnáil an dlí, an rialtais agus na meán. Rinne an Binse uasghrádú ar an áis cuardaigh ar a láithreán gréasáin i Meán Fómhair / Deireadh Fómhair 2006. Ligeann don fheidhmiúlacht cuardach casta gur féidir torthaí cuardaigh níos tapúla agus níos oiriúnaí a fháil. Ba é 137,664 meánlíon na n-amas ar an láithreán gréasáin le linn 2006.

Cuirtear cinntí ar fáil tríd is tríd ar an láithreán gréasáin don phobal ar an tré Mháirt sa mhí tar éis don chinnead a bheith eisithe do na páirtithe.

Seirbhís ríomhRialtais a Sholáthar

Trí REACH, arb é seirbhís ríomhBhróicéireachta na seirbhíse poiblí é (www.reach.ie), tá an Binse tar éis saoráid a chur ar fáil do chustaiméirí freisin ar saoráid í ar tríthi is féidir le custaiméirí tarchuir ar-líne a dhéanamh faoi reachtaíocht Chomhionannais Fostaíochta. Féadfar é seo a dhéanamh trí Sheirbhísí Reach ar féidir teacht orthu ar láithreán gréasáin an Bhinse ag www.equalitytribunal.ie. Tá an Binse i bplé le Seirbhísí REACH agus iad ag féachaint leis an áis a leathnú chun gearáin a tharchur faoi Achtanna na bPinsean 1990 go 2004 agus na hAchtanna um Stádas Comhionann 2000 go 2004. Tá súil ag an mBinse an ghné seo a chríochnú faoi dheireadh 2007.

Córas Bainistithe Cásanna

Sa bhliain 2005, d'fhostaigh an Binse sainchomhairleoirí chun athbhreithniú a dhéanamh ar an gCóras reatha Bainistithe Cásanna (CMS) agus tuairisc a thabhairt ina mbeadh moltaí i gcomhair córas nua. Tá athbhreithniú críochnaithe ag na sainchomhairleoirí agus tá doiciméad riachtanais cuimsitheach faoi chóras bainistithe cásanna críochnaithe. Tá an Binse ag plé le roinnt páirtithe eile chun córas a dheardh chun na riachtanais atá leagtha amach sa doiciméad a chomhlíonadh.

Citrix

Is córas comhtháite ó cheann go ceann é Citrix a nascann úsáideoirí, gléasanna agus gréasáin le hacmhainní frontair gan uaim. Tairgeann sé rochtain d'iarratais lárnaithe agus cuireann sé cianrochtain oifigí ar fáil d'aon ghléas, thar aon ghréasán go haon iarratas nó foinsé eolais.

Tá an Binse ag iarraidh bogadh go timpeallacht Citrix chun a acmhainní córas eolais a sheachadadh. Cuirfidh sé seo ar chumas rochtain shlán go bunachair agus cásobair an Bhinse ó chianláithreacha. Tá ceangal ar Oifigigh an Bhinse éisteachtaí a reachtáil ar fud na tíre agus cabhróidh Citrix le seirbhís níos fearr a chur ar fáil trína chur ar chumas Oifigigh teacht ar eolas atá cothrom le dáta cibé áit a bhfuil ceangal tapa idirlíon. Tá sé seo riachtanach chomh maith i gcomhthéacs díláraithe.

Córas Bainistithe Doiciméad

Ta córas bainistithe doiciméad (Digicom) ceannaithe ag an mBinse chun cabhrú leo a riachtanais a chomhlíonadh le garchuimsiú an Bhinse faoin Acht um Shaoráil Faisnéise. Tá sé beartaithe go gcomhlánóidh an córas bainistithe doiciméad an bogadh go timpeallacht Citrix agus an Binse a chur ar an treo chuig oifig nach bhfuil bunaithe ar phaipéar chomh mór sin.

Foilseacháin

Le linn na bliana 2006, d'fhoilsigh an Binse na doiciméid seo a leanas:

- Tuarascáil Bhliantúil 2005
- Athbhreithniú Dlí 2005 (i bhfoirm dlúthdhiosca)
- Athbhreithniú Idirghabhála 2005
- Bileoga Eolais athbhreithnithe

D'fhoilsigh an Binse sraith nua de bhileoga eolais ar an mBinse agus ar an obair a dhéanann sé. D'oibrigh an Binse go dlúth leis an Áisíneacht Náisiúnta Litearthachta do Aosaigh (NALA) le linn a chuid bileog a athbhreithniú agus lena chabhair tá Marc Cáilíochta Béarla Shoiléir bainte amach ag na bileoga sin.

Tá cóipeanna de na bileoga eolais ar fáil i gcló mór, in Braille nó ar chlós-téip ach iad a iarraidh agus tá siad ar fáil i nGaeilge, i bhFraincis, i Rúisis agus i Sínis ag an bhfáltiliú agus ar an láithreán gréasáin. *Gheofar liosta iomlán de na foilseacháin atá ar fáil in Aguisín 1 agus is féidir na foilseacháin go léir a íoschóipeáil ó láithreán gréasáin an Bhinse ag www.equalitytribunal.ie.*

Cumarsáid

De réir mar a cheanglaítear leis an reachtaíocht, d'fhoilsigh an Binse na Cinntí go léir a eisíodh i rith na bliana, agus rinneadh sin sna meáin agus ar an láithreán gréasáin araon. Ina theannta sin, i Meitheamh 2006, d'fhoilsigh an Binse a Thuarascail Bhliantúil don bhliain 2005, a Athbhreithniú Dlí ar chinntí don bhliain 2005 agus a Athbhreithniú Idirghabhála ar chomhaontuithe a síníodh i 2005, ar féidir iad go léir a fheiceáil agus íoslódáil ón láithreán gréasáin.

Luach ar Airgead

Faigheann an Binse Comhionannais maoiniú ón Státchiste tríd an Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí. Chaith an Binse €2.05m san iomlán i rith na bliana 2006. Bhain €1.55m den mhéid sin le pá agus bhain €0.50m de le nithe neamhphá. Déantar síor-fhaireachán ar chaiteachas agus déanann Coiste Buiséid inmheánach, faoi cheannas an Stiúrthóra, athbhreithniú air gach mí. Rinneadh buiséad €2.14m san iomlán a ullmhú don bhliain 2007 chun tacú le hoibriú leanúnach an Bhinse. *Chun sonraí a fháil, féach Aguisín 2: Tuarascáil Airgeadais don bhliain 2006.*

Oiliúint & Forbairt

Is é aidhm an Bhinse Comhionannais an caighdeán is airde feidhmíochta agus forbartha, ar thaobh na foirne, a bhaint amach. Tugann an Binse tacaíocht mhór do dhaoine a bhíonn ag iarraidh cáilíochtaí breise acadúla iomchuí a fháil. Le linn na bliana 2006

- cáilíodh duine amháin den fhoireann mar abhchóide in Óstaí an Rí
- chríochnaigh duine amháin den fhoireann an tríú bliain de chúrsa tráthnóna dioplóma i Staidéir Dhlí in Institiúid Teicneolaíochta Bhaile Átha Cliath

D'fhorbair an Binse Comhionannais (i gcomhar leis an gCúirt Oibreachais) cúrsa modúlach leis an IPA i scileanna gar-bhreithniúcha agus bhí cúigear den fhoireann rannpháirteach san oiliúint i. *(Féach Aguisín 3 chun an réimse cáilíochtaí foirmiúla a fuair daoine d'fhoireann an Bhinse Comhionannais le déanaí nó atá á saothrú ag daoine den fhoireann faoi láthair 3.).*

Rinneadh oiliúint inmheánach, oiliúint choimisiúnaithe nó sainoiliúint do dhaoine den fhoireann sa bhliain 2006 in Oiliúint Ghar-bhreithniúnach, in Oiliúint Idirghabhála, i Scileanna Bainistíochta, i Seirbhís Custaiméirí agus i bhforbairt phearsanta. *Tá liosta iomlán den oiliúint le fáil in Aguisín 3.*

Thit caiteachas ar oiliúint dhíreach agus ar fhorbairt faoin sprioc le linn 2006 de bharr líúntais foirne den chuid is mó. Ba é a bhí sa chaiteachas den sórt sin €31,000 ar méid é atá comhionann le 2% de chostais dhíreacha phárolla agus nuair a chuirtear costais neamhdhíreacha cosúil le taisteal chuig comhdhálacha agus cúrsaí oiliúna thar lear agus cothú lena linn sin san áireamh tá an caiteachas iomlán mar 2.4% den phárolla. Níl caiteachas ár máthair-Roinne, agus oiliúint chineálach na státseirbhíse agus costais neamhdhíreacha oiliúna cosúil le cruinnithe straitéiseacha pleanála san áireamh sa chaiteachas sin. Ina theannta sin, seachadadh oiliúint shuntasach inmheánach, dírithe go sonrath ar shaineolas na nOifigeach Comhionannais a chur ar aghaidh tuilleadh.

Seirbhís Custaiméirí

Tá an Binse Comhionannais tiomanta i leith seirbhís ardchaighdeán agus seirbhís ghairmiúil a sholáthar do gach duine a úsáideann an Binse. Cloímid le Prionsabail na Seirbhíse Ardchaighdeán do Chustaiméirí atá ceadaithe ag an Rialtas don tseirbhís phoiblí agus le Cód na Státseirbhíse maidir le Caighdeán agus Iompar. Sa Chairt um Sheirbhís do Chustaiméirí, leagtar amach gealltanais an Bhinse i leith a chustaiméirí, a úsáideoirí agus a fhoirne. Tá na gealltanais sin bunaithe ar ár luachanna lárnacha agus cuireadh i gcrích go hiomlán iad. Rinneadh seirbhísí an Bhinse a sholáthar go héifeachtúil agus go héifeachtach ar shlí chomh cabhrach agus ab fhéidir.

Cuireadh ceithre ghearán chuig Bainisteoir an Bhinse maidir le Seirbhísí do Chustaiméirí faoi nós imeachta foirmiúil gearáin. Rinneadh cuntas ar na gearáin go léir agus déileáladh leo go pras agus ar shlí oibiachtúil chúirtéiseach.

Tá conradh maidir le seirbhísí aistriúcháin agus ateangaireachta ag an mBinse. Cumasóidh sé sin don Bhinse doiciméid a fháil agus a ullmhú i dteangacha iasachta éagsúla agus ateangaireacht a sholáthar do pháirtí i ngearán ag éisteacht/idirghabháil. Le linn 2006 cuireadh seirbhísí ateangaireachta ar fáil do pháirtithe i dtrí éisteacht/idirghabháil.

Saoráil Faisnéise

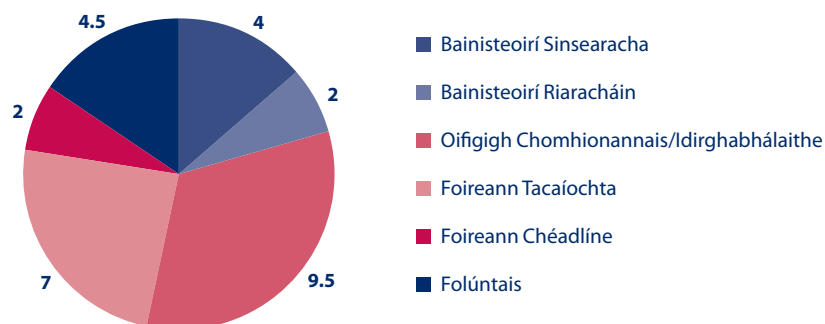
Tá sé beartaithe an tAcht um Shaoráil Faisnéise 1997 (arna leasú) a chur i bhfeidhm chuig an mBinseachuníl an Ionstraim Reachtúil chun éifeachta thabhairt don chinneadh seodrécachtithe go fóill. Nuair a chuirfear i bhfeidhm é, clúdóidh an tAcht um Shaoráil Faisnéise feidhmeanna riaracháin amháin de chuid an Bhinse. Leanfar le heolas de chineál pearsanta a chosaint ar eolas pearsanta é atá sainmhínithe ag na hAchtanna um Chosaint Sonraí 1988 agus 2003.

An Dul Chun Cinn a Choinneáil agus CBFF

Lean an Binse dá spriocanna agus dá chuspóirí a bhaint amach faoi An Dul Chun Cinn a Choinneáil (Comhaontú Comhpháirtíochta Sóisialta) 2003–2005 agus faoin gCóras Bainistíochta Feidhmíochta agus Forbartha (CBFF).

Foireann

An líon foirne



Tá cairt eagrúcháin fhoireann an Bhinse le fáil in Aguisín 4.

Aguisín 1

Foilseacháin atá ar fáil ón mBinse

Tuarascálacha

- Tuarascálacha Bliantúla do na blianta 1999 go 2006
- Athbhreithnithe DLÍ do na blianta 2001 go 2006
- Athbhreithnithe Idirghabhála do na blianta 2002 go 2006
- Ráitis Straitéiseacha do na blianta 2001–2003, 2004–2006, 2007–2009 (le foilsiú)

Bileoga

Ginearálta

- GEN1 – Ról an Bhinse Comhionannais
- GEN2 – Cairt maidir le Seirbhís do Chustaiméirí
- GEN3 – Seirbhísí Idirghabhála

Comhionannas Fostaíochta

- EE1 – Na hAchtanna um Chomhionannas Fostaíochta 1998 agus 2004 – Gearán a Dhéanamh
- EE1 – Na hAchtanna um Chomhionannas Fostaíochta 1998 agus 2004 – Déileáil le Gearán

Stádas Comhionann

- ES1 – Na hAchtanna um Stádas Comhionann 2000 go 2004 – Gearán a Dhéanamh
- ES1 – Na hAchtanna um Stádas Comhionann 2000 go 2004 – Déileáil le Gearán
(Tá cóipeanna de na bileoga eolais ar fáil i gcló mór, in Braille nó ar chlós-téip ach iad a iarraidh agus tá siad ar fáil i nGaeilge, i bhFraincis, i Rúisis agus i Sínis ag an bhfáiltiú agus ar an láithreán gréasáin).

Treoirleabhair

- Na hAchtanna um Chomhionannas Fostaíochta 1998 agus 2004 – Treoir maidir le Nósanna Imeachta a bhaineann le hÉilimh a Imscrúdú agus Idirghabháil a dhéanamh ina leith
- Na hAchtanna um Stádas Comhionann 2000 go 2004 – Treoir maidir le Nósanna Imeachta a bhaineann le hÉilimh a Imscrúdú agus Idirghabháil a dhéanamh ina leith
- Seirbhísí Idirghabhála – Treoir maidir le Nósanna Imeachta

Foirmeacha

Comhionannas Fostaíochta

- EE1 – Tarchur Gearáin maidir le hIrdhealú i ndáil le Fostaíocht
- EE2 – Foirm Reachtúil Iarratais chuig Fostóir maidir le Faisnéis faoi Theagmhas Ionchasach Irdhealaithe
- EE3 – Foirm Reachtúil an Fhreagra ón bhFostóir ar Iarratas ar Fhaisnéis

Stádas Comhionann

- ES1 – Fógra chuig Soláthróir Seirbhíse maidir le Teagmhas Ionchasach Idirhealaithe
- ES2 – Freagra ar Fhógra
- ES3 – Gearán chuig an mBinse Comhionannais maidir le hidirdhealú le linn earraí, seirbhísí nó saoráidí a sholáthar

Idirghabháil

- ET6 – Aontú le hIdirghabháil

Pinsin

- PA1 – Tarchur Gearáin faoi Achtanna na bPinsean
(Tá foirmeacha ar fáil i mBéarla chomh maith)

Aguisín 2

Tuarascáil Airgeadais don bhliain 2006

Tuarascáil Airgeadais 2006	
	€
Pá	1.55m
Neamhphá	0.50m
Iomlán	2.05m

Is mar a leanas na príomhréimsí den chaiteachas neamh-phá	
	€
Cóiríocht	80,000
Cumarsáid & Cur Chun Cinn	20,000
Dearadh & Clódóireacht	15,000
Eolas Teicneolaíochta	54,000
Dlí	35,000
Leabharlann	30,000
Trealamh Oifige	12,000
Teileafón & Postas	49,000
Oiliúint	31,000

Bhí caiteachas €68,000 ann mar gheall ar chás-obair nár mhór éisteachtaí a sheoladh ina leith in áiteanna lasmuigh de cheannoifig an Bhinse Comhionannais.

Úsáid Fuinnimh agus Athchúrsáil

De réir Chinneadh S180/20/10/0269 ón Rialtas maidir le hÉifeachtúlacht Fuinnimh i bhfoirgnimh Sheirbhíse Poiblí, déanann an Binse Comhionannais bearta chun úsáid fuinnimh a laghdú, lena n-áirítear páirt a ghlacadh i nDreasacht Laghdaithe Éilimh Geimhridh CBL agus socruithe athchúrsála le haghaidh páipéir agus gloine agus le haghaidh cartús printéirí agus tonóirí meaisíní cóipeála a chothabháil.

Íocaíochtaí Prasa

Lean an Binse Comhionannais den Acht um Íoc Pras Cuntas 1997, arna leasú le Rialacháin na gComhphobal Eorpach (Íoc Déanach in Idirbhearta Tráchtála) 2002, a chomhlíonadh. Tabhaíodh muirir úis le linn 2006 arbh é €195,56 a méid iomlán.

Cáilíochtaí tríú leibhéal a baineadh amach nó atáthar a bhaint amach in 2006

- Idirghabháil (Cuid 2 MII)
- An Sruithléann (BA)
- Óstaí an Rí (Cúrsa Céime)
- Teicneolaíochtaí Digiteacha na Meán (MA)

Oiliúint inmheánach le linn 2006

Rinneadh oiliúint inmheánach, oiliúint choimisiúnaithe nó sainoiliúint a thabhairt don fhoireann sa bhliain 2006 mar a leanas:

- Oiliúint Idirghabhála
- Do Chuid Scileanna Bainistíochta Daoine a Ghéarú
- Ag Déileáil le Custaiméirí Achrannacha
- An Custaiméir i gCroílár Seachadadh Seirbhíse Poiblí
- Ardteicnící Oiliúnaithe agus Meantóireachta
- Miontuairiscí Déanta go hÉasca
- Ag Bogadh i dTreo na Seirbhíse Poiblí amach Romhainn
- Saoráil Faisnéise
- Cosaint Sonraí
- Oiliúint maidir le hAgallaimh
- Spáinnis
- Oiliúint maidir le Feasacht
- Bulaíocht agus Ciapadh
- Dlí
 - Oiliúint Gar-bhreithiúnach
 - Forbairtí sa Phróiseas Dlíthíochta & Imscrúdaithe
 - Cearta Daonna
 - Dlí Idirhealaithe agus Cleachtas
 - Dlí na Fostaíochta
 - Aontíos Céileachais: Samhlacha le haghaidh Athchóiriú Dlí

Aguisín 4

Cairt Eagrúcháin an Bhinse Comhionannais

(amhaíl an 31 Nollaig 2006)

Stiúrthóir		
Melanie Pine		
Comhionannas Fostaíochta	Stádas Comhionann	Idirghabháil
Deirdre Sweeney <i>Ceann Comhionannais Fostaíochta</i>	John Hurley <i>Ceann Stádais Chomhionann</i>	Vacancy <i>Ceann Idirghabhála</i>
Gerardine Coyle Vivian Jackson Anne-Marie Lynch Mary Rogerson Raymund Walsh <i>Oifigigh Chomhionannais</i>	Marian Duffy Dolores Kavanagh Brian O'Byrne Mary O'Callaghan Bernadette Treanor <i>Oifigigh Chomhionannais</i>	Brian O'Byrne * <i>Ceann Gníomhach Idirghabhála</i> Gerardine Coyle* Marian Duffy * Vivian Jackson* Dolores Kavanagh* Mary O'Callaghan * Mary Rogerson* Bernadette Treanor* Raymund Walsh * <i>* Oifigigh Idirghabhála</i>
Bainistíocht Acmhainní		
Bainistíocht Dlí	Acmhainní Corparáideacha	Rúnaíocht
Sile Larkin <i>Comhairleoir Dlí</i>		Folúntas* <i>Ceann na Rúnaíochta</i> <i>(Ceann Idirghabhála chomh maith)</i>
	Brenda Ward <i>Bainisteoir Acmhainní Corparáideacha</i> <i>(tuairiscíonn don Stiúrthóir)</i>	
	Aileen O'Gorman <i>Bainisteoir Oifige</i>	Alan McDonnell <i>Leas-Chláraitheoir/</i> <i>Bainisteoir an Aonaid Rúnaíochta</i>
Frances Flynn <i>Cúntóir Taighde Dlí</i>		Brian Farrell <i>Príomhfheidhmeannach</i> Folúntas <i>Bainisteoir TE</i>
Deirdre McCormack <i>Oifigeach Cunta an Aonaid Dlí</i>	Noel Kelly Folúntas <i>Oifigigh Thacaíochta Acmhainní</i> <i>Corparáideacha</i>	Susan Fetton Kristian Reiman Paul Johnson Folúntas <i>Oifigigh Tacaíochta Rúnaíochta</i>
	John Fitzgerald Joe Pettigrew <i>Oifigigh Seirbhísí</i>	

* Tá dhá ról ag na daoine seo den fhoireann. Feidhmíonn ochtar Oifigeach Comhionannais mar Oifigigh Idirghabhála Comhionannais (idirghabhálaithe) freisin, feidhmíonn an Ceann Idirghabhála mar Cheann Rúnaíochta freisin.

Aguisín 5

Fóram na nÚsáideoirí



- Comhairle an Bharra
- An Ghníomhaireacht um Fhostóirí Seirbhíse Sláinte
- Dlí-Chumann Corpraithe na hÉireann
- Cónaidhm Ghnó agus Fostóirí na hÉireann
- Comhar Ceardchumann na hÉireann
- Cónaidhm Árachais na hÉireann – Irish Insurance Federation
- Irish Traveller Movement
- Coiste Náisiúnta Comhairliúcháin maidir le Ciníochas agus Idirchultúrachas
- National Gay and Lesbian Federation
- Comhairle Náisiúnta na mBan in Éirinn
- Daoine faoi Mhíchumas in Éirinn Teo – People with Disabilities in Ireland Ltd

Aguisín 6

Miondealú ar Chásanna

a Tarchuireadh chuig an mBinse Comhionannais, de réir Forais, 2005–2006

Cásanna a Tarchuireadh chuig an mBinse Comhionannais						
Forais	Achtanna um Stádas Comhionann 2000–2004		Na hAchtanna Fostaíochta 1998–2004		Achtanna na bPinsean 1990–2004	
	2005	2006	2005	2006	2005	2006
Aois	39	9	44	47	3	3
Aois, míchumas	3		1	7		
Aois, míchumas, inscne			1			
Aois, míchumas, inscne, stádas pósta, cine	1					
Aois, míchumas, stádas teaghlaigh, inscne, stádas pósta				1		
Aois, stádas teaghlaigh		1	1			
Aois, stádas teaghlaigh, inscne, stádas pósta			1	1		
Aois, stádas teaghlaigh, cine				1		
Aois, inscne			13	5		1
Aois, inscne, stádas pósta			2	2		
Aois, inscne, stádas pósta, cine			1	1		
Aois, inscne, cine		1				
Aois, comhaltas de Phobal an Lucht Siúil	2					
Aois, cine			2	1		
Aois, cine, reiligiún			1	2		
Aois, cine, claonadh gnéis						
Míchumas	45	52	67	54		2
Míchumas, stádas teaghlaigh	2	2		3		
Míchumas, stádas teaghlaigh, inscne				1		
Míchumas, stádas teaghlaigh, inscne, stádas pósta	2		3			
Míchumas, stádas teaghlaigh, stádas pósta				1		
Míchumas, stádas teaghlaigh, stádas pósta, claonadh gnéis	2					
míchumas, inscne	4	2	4	1		
Míchumas, inscne, stádas pósta	2	3	1			
Míchumas, inscne, reiligiún	1					
Míchumas, inscne, claonadh gnéis	1					
Míchumas, inscne, stádas pósta, reiligiún				1		
Míchumas, stádas pósta	4					
Míchumas, comhaltas de Phobal an Lucht Siúil	13	4				
Míchumas, cine	5	4	4	4		
Míchumas, cine, reiligiún	1		1			
Stádas Teaghlaigh	1		2	4		
Stádas teaghlaigh, inscne	2	2	18	13		
Stádas teaghlaigh, inscne, stádas pósta			15	5	1	
Stádas teaghlaigh, inscne, stádas pósta, reiligiún			1			

Cásanna a Tarchuireadh chuig an mBinse Comhionannais

Forais	Achtanna um Stádas Comhionann 2000–2004		Na hAchtanna Fostaíochta 1998–2004		Achtanna na bPinsean 1990–2004	
	2005	2006	2005	2006	2005	2006
Stádas teaghlaigh, inscne, stádas pósta, comhaltas de phobal den Lucht Siúil		1				
Stádas teaghlaigh, inscne, cine	1			1		
Stádas teaghlaigh, stádas pósta	1		2			
Stádas teaghlaigh, stádas pósta, cine			1			
Stádas teaghlaigh, stádas pósta, reiligiún				1		1
Stádas teaghlaigh, cine				2		
Stádas teaghlaigh, reiligiún			1			
Inscne	12	7	89	74	2	1
Inscne, stádas pósta	2	2	8	4		
Inscne, stádas pósta, cine				1		
Inscne, stádas pósta, reiligiún, claonadh gnéis	1					
Inscne, stádas pósta, claonadh gnéis	1			1		
Inscne, cine			9	19		
Inscne, cine, reiligiún			1	1		
Inscne, claonadh gnéis			1	5		
Forais nach luaitear	7	6	13	16		1
Stádas pósta	4	7	2		1	1
Stádas pósta, comhaltas de phobal an Lucht Siúil		1				
Stádas pósta, cine	1					
Comhaltas de Phobal an Lucht Siúil	31	18	2			
Comhaltas de Phobal an Lucht Siúil, cine	9	25	2			
Cine	15	15	80	146		3
Cine, reiligiún	1	1	1	5		
Cine, claonadh gnéis	2			1		
Reiligiún	2	1	2	2		1
Claonadh gnéis	3	2	4	7		
Iomláin	223	166	401	448	7	14



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