

SCHEDULE 3

THE INDUSTRIAL TRIBUNALS (EQUAL VALUE) RULES OF PROCEDURE 2020

Application of Schedule 3

1.—(1) This Schedule applies to proceedings involving an equal value claim and modifies the rules in Schedule 1 in relation to such proceedings.

(2) The definitions in rule 1 of Schedule 1 apply to terms in this Schedule and in this Schedule—

“comparator” means the person of the opposite sex to the claimant in relation to whom the claimant alleges that his or her work is of equal value;

“Equal Pay Act” means the Equal Pay Act (Northern Ireland) 1970(1);

“equal value claim” means a claim which rests upon entitlement to the benefit of an equality clause by virtue of the operation of section 1(2)(c) of the Equal Pay Act(2);

“the facts relating to the question” has the meaning in rule 6(1)(a);

“independent expert” means a member of the panel of independent experts mentioned in section 2A(4)(3) of the Equal Pay Act;

“the question” means whether the claimant’s work is of equal value to that of the comparator; and

“report” means a report required by a tribunal to be prepared in accordance with section 2A(1)(b)(4) of the Equal Pay Act.

(3) A reference in this Schedule to a rule is a reference to a rule in this Schedule unless otherwise provided.

(4) A reference in this Schedule to “these rules” is a reference to the rules in Schedules 1 and 3 unless otherwise provided.

(5) Any reference in the Rules to a tribunal applies to a tribunal comprising—

(a) an employment judge acting alone;

(b) an employment judge acting with one or two other members.

(1) 1970 c.32.

(2) Section 1(2)(c) was inserted by S.R. 1984 No. 16, regulation 2(1).

(3) Section 2A was inserted by S.R. 1984 No. 16, regulation 3(1); and paragraph (4) was amended by S.R. 2005 No. 145, regulation 2(6).

(4) Sub-paragraph (b) was amended by S.R. 2005 No. 145, regulation 2(2)(a).