

EMPLOYMENT EQUALITY (AGE) REGULATIONS (NORTHERN IRELAND) 2006

FACT SHEET No. 5 – SERVICE RELATED BENEFITS

Rewards are important

It is recognised that service related pay and benefits are used widely to motivate staff, reward loyalty, and recognise experience. The new Regulations will therefore allow employers to continue to use length of service criteria to reward staff, as long as the period of service is not more than five years. However, employers can use length of service criteria that exceeds five years if they can justify their actions.

Justifying length of service-based benefits

When justifying differences in benefits to workers with more than five years service, an employer will need to show that they are fulfilling a business need in doing so. Practices that justify such benefits could include providing information about recruitment and retention, or an assessment of relative efficiency of staff with different levels of service.

For specific benefits, the employer can choose whether to calculate the length of time of worker's service time, or the length of time the worker has been doing work at or above a particular level.

Length of service will be the same for full-time or part-time workers, and the employer can take into account periods of absence, if it is reasonable to do so.

An employee who feels that his employer's benefits structure is discriminatory will be able to make a complaint to an industrial tribunal.

Regulation 34 of the Age Regulations applies to employees, partners, office holders, police, civil servants and parliamentary staff.

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