

IFUT WINS MAJOR AGE DISCRIMINATION CASE AGAINST UCD

The Irish Federation of University Teachers (IFUT) has won a highly significant age discrimination case against University College Dublin, taken on behalf of a Lecturer denied promotion to Senior Lecturer status.

The Workplace Relations Commission ruled that the college had breached Sections 6(2)(f) and 8(1)(d) of the Equality Employment Acts and issued an order for retrospective promotion and compensation.

The Lecturer concerned had worked as a Lecturer since 1993, received tenure in 1996 and had obtained a PhD in 2006. She applied for promotion to Senior Lecturer grade in 2013 but was unsuccessful. She had also unsuccessfully appealed against the college decision not to appoint her.

The Workplace Relations Commission evaluated her case on grounds of age discrimination, as the successful candidate was 20 years younger.

In taking the case, IFUT pointed out that much of the complainant's considerable expertise, contribution to the university as well as to society, was deliberately ignored and disregarded by UCD, on grounds of a 'five-year' rule that dismissed work undertaken more than five years before application for the post. This effectively discriminates hugely against any staff of long standing in the college and especially female academics caring for children. A senior academic who gave expert opinion expressed "astonishment" to the WRC that Dr Cleary's twenty years of contributions to UCD and the greater community were insufficient to earn her a promotion.

In addition data was presented indicating a history of favouring younger applicants for promotion in UCD, with the highest success rate in the 30 -39 age group, compared to none in the women's 60- 65 age group.

The WRC ruled that age discrimination had occurred and instructed UCD to appoint the woman retrospectively to Senior Lecturer together with relevant pay adjustments, pension and other relevant entitlements. It also ordered a significant compensation payment.

Commenting on the case, Joan Donegan, General Secretary of IFUT, welcomed the 'very clear ruling by the WRC on this case, which shines a light on the significant issues of ageism that exists in third-level education and in broader society

and business. In the light of significant gender inequalities within the Irish university sector this case demonstrates how age interacts with gender to compound discrimination against women.

“It is particularly noteworthy that UCD refused all attempts via FOI and by order of the WRC to provide relevant data including anonymised copies of applications made by other applicants, as provided for under data protection legislation, except, as stated by the WRC, ‘so extensively redacted as to be useless.’

“IFUT will continue to monitor cases of age discrimination, “but we expect and hope that university managements will take note of the very clear WRC ruling in this case and ensure that conscious and unconscious issues of ageism are addressed promptly,” Joan Donegan said.

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