

Cooking up a storm – Julie Hayward's equal value victory

When Julie Hayward was 16, she signed up as an apprentice cook at the Cammell Laird Shipyard in Birkenhead, and studied for a City & Guilds qualification as a chef.

Four years later, when she and her male fellow apprentices graduated, she discovered her skills were considered less valuable than theirs.

Julie Hayward

A couple of my friends said oh when we have finished there, you know, we've come to 20 said "oh isn't it good our wages have gone up now" and I went "well, actually mine hasn't". And he went really, I went "no I've still got the same amount of money it hasn't gone up at all". So they said to me "yeah, well that's wrong that, really wrong" and the blokes saying like "that's bang out of order, that's wrong, it's wrong, you should go and sort it out and get it sorted". Go and see the union bloke about it so I went to the union guy about it and he said to me it sounds as though it's wrong. You go and ask the management and he went and asked the management and they said no it's classed as a labourer.

Sheila Wild, Equal Opportunities Commission

At Cammell Laird she and her three male comparators were all in different male type professions. All four of them had actually served apprenticeships and almost up to the end of their apprenticeship all four of them had been on the same rates of pay and then the men had been designated craft apprentices and so they had gone on to higher rates of pay and she of course was a woman so it couldn't be, it couldn't be craft.

David Pannick, QC

We all had a sense that this was historic in a sense it was the first case, but we were all very much proceeding in the dark. No one really had any clear idea as to how tribunals, far less courts would deal with the matter. The new legislation was very ambiguous, very unclear.

Tess Gill, Former legal officer, GMB: now barrister

The point was that her work was entirely different from that of the men because she was a cook and they were craftsmen and the thinking then was that plainly her work couldn't be of equal value to the mens work as craftsmen. The whole idea was ridiculous so we had to build up a case saying this is not ridiculous at all and it meant getting Julie to describe what she did, hour by hour, in the kitchen, what hazards there were, what weights she had to lift up and comparing that with the work the men did. So, for example, a painter works in far less hazardous conditions than a cook in a big kitchen and yet the painter was paid far more.

Julie Hayward's union, the GMB, supported her equal value claim.

TG

Without the union we wouldn't have been able to do this because without the union we wouldn't have been able to get together the craftsmen to give evidence in Julie's support.

JH

Most people actually knew me in the shipyard, so most of the guys actually knew me. They didn't know me through being a cook there. They actually knew me through being an Evertonian cos I'm really, really strong Evertonian, brought up that way. It's like a religion, in my family, so they knew that I used to go to football and a lot of things like that and everything and I think they knew I knew a lot about football. At the time we used to have a boy's football teams and things and they would see me in the paper cos we'd won a big massive Merseyside league and we'd won that's the first time a woman manager had won a big massive Merseyside league so I was in the papers for that so this boys team a football team that I had. So they knew me for things like that as well. So there's lots of respect, if you like, mutual respect

around that cos if you know about football where I come from, you know, you're made aren't you?

Julie and her team presented her case to an industrial tribunal in Liverpool.

DP

At that stage the argument from Cammell Laird was very simple. You cannot compare, can you, what a woman does in the kitchen with what the men do outside in the shipyard and the tribunal to their credit would have none of that. They said this must go to an independent expert.

SW

There were either photographs or a film clip of Julie Hayward actually at work in the canteen at Cammell Laird. The barrister for the respondents had been a bit sniffy about the demands of cooking cakes and how that couldn't possibly be as demanding as being a joiner or a welder or whatever. Then these photographs of Julie Hayward carrying these huge industrial trays full of the kind of weighty pies that you feed to shipbuilders at lunchtime and putting them in an extremely hot oven, you know, were produced in evidence and it was very clear that this was physically, very physically demanding job.

DP

When we got the report of the independent expert who analysed the competing work under various criteria and said it was equal well we were delighted.

JH

The turning point for me was the independent expert said that you know my job was of equal value but this person who didn't know me didn't know that the man in the yard, didn't know anybody and he came as an independent expert and said no, you know, is of equal value and of equal pay and that was it really.

DP

We hoped that would be the end of the process. We hoped that Cammell Laird would then pay out but they didn't and that was really only the start of the legal battle.

Cammell Laird claimed Julie was given a 'package of benefits' whose value equalled the higher pay of the men.

An industrial tribunal and two higher Courts supported Cammell Laird's claim.

DP

The whole of the employment industry, generally, was becoming concerned about equal pay for work of equal value, which, I think, they had regarded up to then as a bit of a joke. But once they realised that it would mean for real women employees like Julie that there would be very positive benefits for her and costs for employers, Cammell Laird started to take it much more seriously.

JH

This was much bigger than just my small job in Cammell Laird. It became escalated to do with this big massive thing that was going to happen.

While Julie and her team fought her equal value case the Cammell Laird workforce was fighting lay-offs and the threat of closure.

JH

Because I was involved in the picket line with the guys and things at one point we just stood on a case and Cammell Laird said that if we don't go to work they are going to say that I am bringing it into disrepute so we had a meeting outside the gates again – there was something like 2000 guys, you know, cos we were all at different gates and they explained, everybody explained that what I was doing and they all voted and everybody voted that I would go back in so it was quite embarrassing actually. One day I think just there was about 3 or 4000 of them wait outside the gates and they all moved to one side and just clapped me in.

More than four years after Julie Hayward started her equal value claim the House of Lords found in her favour. Her fellow union members stood with her all the way.

JH

The strength again from just the guys all being together you know calling union meeting you would see 20,000 people in one, like, square. Half your thing and then a guy getting up and explaining about what was happening about my case and all these people going yeah, cheering and everything, then that gave you strength to say, you know, you're not an idiot, you're not a fool but, you know, these things are happening to you it's wrong.

DP

The law regrettably remains too complex. It remains too expensive to bring these cases. The cases take too long to be decided. Women are deterred from bringing them. Employers continue to use every possible mechanism to deny women their rights, but there are victories. Julie Hayward's case was one of them. It was a very important victory.

If you want to hear more from Julie Hayward and the people involved in fighting her case, please ask for the longer version of 'Cooking up a Storm' from TUC Publications on 020 7467 1294.