

Employment

# Previous Employment

Equal pay



**RIGHT TO  
PARTICIPATE**

## Useful knowledge

It is unlawful for an employer to pay a disabled employee a lower salary or wage, or offer less favourable terms and conditions, than a non-disabled person carrying out work with the same or similar value. It is also unlawful for an employer to reduce the pay of an employee due to a newly acquired disability or health condition.

## Useful skills

- Effective communication
- Openness
- Self-awareness
- Problem solving

## Ways to assert your legal rights

If you discover, or suspect that a non-disabled colleague is/was being paid a higher wage or salary, or has better terms and conditions than your own, you should firstly raise this with your line manager. Ideally you will provide documentary evidence. If this isn't possible, you can still ask your line manager to investigate. If you're not satisfied, raise the issue with their line manager, head of department or equivalent.

[Click here for template complaint letter](#)

If the issue still isn't resolved, you can invoke your employer's grievance policy. This is normally found in a staff handbook or similar, which most employees are given when they join a company.

If you don't get a satisfactory resolution, you can take a claim to an employment tribunal (ET). There are timescales within which a claim should be made. In general, the time limit within which a claim of disability discrimination must be raised is three months less one day from the date of the discrimination taking place, or from the end of your employment.

Before taking a former employer to an employment tribunal, you must first attempt what is termed 'early conciliation'. Early conciliation is a service delivered by the Advisory, Conciliation and Arbitration Service (ACAS), a publicly funded but independent organisation. Engaging early conciliation can reduce the stress and anxiety caused by taking a claim to an ET. If engaged within its own time limit (also three months less one day), early conciliation extends the time period for taking action via an employment tribunal (if conciliation doesn't work).

If you're a member of a trade union, it is worth engaging their support as early as possible, but at any stage of the process. [Find out more about joining a trade union here.](#)

Maintaining a newly disabled employee's salary at the same level is considered a reasonable adjustment under the Equality Act 2010. If you acquired a disability and your employer attempted to reduce your salary as result, please follow the steps above.

## You can have confidence in the process because

Disabled employees are protected from discrimination, harassment and victimisation by The Equality Act 2010.

## You can get more help from

The [Equality Advisory & Support Service \(EASS\)](#) runs a free helpline assisting individuals with equality and human rights issues across England, Scotland and Wales.

- Telephone • 0808 800 0082
- Text phone • 0808 800 0084
- Email • [through websites form](#)

ACAS runs the [Early Conciliation service](#) for when you can't sort out things directly with an employer.

- Helpline • 0300 123 1100
- Website • [www.acas.org.uk](http://www.acas.org.uk)