

Jessica johnson v. wilkinson manufacturing

Law



Jessica Johnson v. Wilkinson Manufacturing Insert First, both men and women are entitled to equal remuneration for labor of the same value. Therefore, it is unlawful for Wilkinson manufacturing to pay Jessica a salary less by thirty percent in comparison to his male counterparts. In this case, Jessica can sue Wilkinson manufacturing for gender discrimination. However, there are various possible actions to address this issue. Jessica may decide either to write to Wilkinson manufacturing to sort the matter informally or present a claim to an Employment Tribunal for discrimination. In this particular form of discrimination, the Equal Pay Act 1970 prevails. This Act gives an individual the right to receive equal treatment in terms of pay in comparison to members of the opposite gender. However, there must be adequate proof that the claimant does like work, which has been rated to be of a similar value to a person of the opposite sex in the process of job evaluation. In addition, the claimant has to prove that he or she is doing work of equal value as the member of the opposite sex. Thus Jessica is in a position to claim sex discrimination since she meets the above conditions. Furthermore, the Equality Act 2010 renders sex discrimination illegal. In particular the clause of the Act that prevails in this case is the equal terms-equal pay. Thus Jessica's remuneration ought to be equal to those of his male counterparts who are employed in the same managerial position as her (Crown et al). The Equal Employment Opportunity Commission (EEOC) is the federal body charged with the responsibility of enforcing breaches against workplace discrimination laws. The EEOC is the agency that handles discrimination complaints based on the complainant's sex or other factors such as color, religion, nation of origin dependent on the nature of complaint. In addition, the EEOC is also entitled to file complaints against employers on behalf of

<https://assignbuster.com/jessica-johnson-v-wilkinson-manufacturing/>

employees who have alleged to have been discriminated.

Wilkinson Manufacturing is practicing sex discrimination. However, there is an available defense, which can prevail; the pay secrecy clause in employment contract which is unimplementable since it is difficult to find out whether the pay difference is associated with a particular characteristic.

Therefore, Jessica cannot really tell whether pay difference is due to gender factor or a hidden characteristic secret to Wilkinson Manufacturing (EEOC et al).

In this issue Jessica would emerge the victor since the factor, which ought to determine her remuneration is level of work and value of work, which is equal to his male counterparts. Thus, Wilkinson would be liable to pay her an equal amount of salary. In fact, the years she worked as an assembly employee were a great experience at the Wilkinson Manufacturing and made her eligible for a promotion to the current managerial position she holds. Consequently, Wilkinson Manufacturing decision to pay her a salary less by thirty percent in comparison to her male counterparts is untenable.

References

Crown. Employment. n. d

Retrieved from

[http://www.direct.gov.](http://www.direct.gov.uk/en/Employment/ResolvingWorkplaceDisputes/DiscriminationAtWork/DG_10026665)

[uk/en/Employment/ResolvingWorkplaceDisputes/DiscriminationAtWork/DG_10026665](http://www.direct.gov.uk/en/Employment/ResolvingWorkplaceDisputes/DiscriminationAtWork/DG_10026665)

EEOC. Employment Discrimination, Diversity, Harassment, Gender and Labor Issues. n. d

Retrieved from <http://www.eeoc.com/>

<https://assignbuster.com/jessica-johnson-v-wilkinson-manufacturing/>