



EMPLOYMENT TRIBUNALS

Claimants: Mr S Kabil
Ms Florette Williams

Respondent: Capita Customer Management Limited

Heard at: Leeds **On:** 20 June 2018

Before: Employment Judge D N Jones

REPRESENTATION:

Claimants: Not in attendance

Respondent: Mrs L Hodgson, HR Manager
Mrs N Irwin, HR Operations Partner

JUDGMENT

The claims for sex discrimination (equal pay) are struck out on the grounds that they have no reasonable prospect of success, and the claimants have failed actively to pursue them.

REASONS

1. The claimants are a man and a woman. They complain of sex discrimination in respect of a failure to pay them as others who are doing what they contend is work of equal value.
2. The claim was listed for a preliminary hearing to consider whether these complaints should be struck out, as it was not apparent how a claim could be based upon a difference relating to gender when both claimants are of different sexes. There was no suggestion that one was a “piggy back” claim.
3. The claimants did not attend this preliminary hearing. On 15 June 2018 Mr Kabil sent an email asking how he cancelled his claim.

4. In the circumstances the Tribunal was not satisfied there were reasonable prospects of success as there was no gender discrimination apparent from the claim form or any further explanation provided, and it would appear that the claimants do not wish to further their claim and are not actively pursuing it.

Employment Judge D N Jones

Date: 21 June 2018

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.