

Case No. 2402619/2010
2415284/2012
2415287/2012
2400980/2008
2408624/2011
2409608/2008
2408449/2011



EMPLOYMENT TRIBUNALS

Claimants: Miss J A McGowan (formerly Ms J A McGowan-Fitton)
Mr J Tuohy
Mrs J Goodwin

Respondent: Bury Metropolitan Borough Council

HELD AT: Manchester **ON:** 23 November 2018

BEFORE: Employment Judge Horne

REPRESENTATION

Claimants: Mr Goodwin (Mrs Goodwin's husband)
Respondent: Ms A Smith, counsel

JUDGMENT AT PRELIMINARY HEARING

1. The claimants need permission to amend their claims so as to argue that the difference between their pay and that of driver/attendants was due to a provision, criterion or practice of remunerating roles, in general, at higher pay for roles based at a vehicle depot than for roles based at a day care centre.
2. Permission to amend their claims in this respect is refused.
3. The claims are struck out on the ground that they have no reasonable prospect of success.
4. The tribunal has in any event no jurisdiction to consider the claim of Mr Tuohy because it was presented after the expiry of the statutory time limit.

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5. The respondent's application for costs is refused.

23 November 2018

Employment Judge Horne

SENT TO THE PARTIES ON

27 November 2018

FOR THE TRIBUNAL OFFICE

Note – reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days from the date on which this judgment is sent to the parties. If written reasons are provided, they will be displayed on the tribunal's website.