



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss K Taylor

**Respondent:** Rothbury Home Bakery Ltd (in liquidation)

**HELD AT:** North Shields

**ON:** 29 November 2019

**BEFORE:** Employment Judge Aspden

## REPRESENTATION:

**Claimant:** In person

**Respondent:** No attendance

## JUDGMENT

1. The claimant's complaint under section 127 of the Equality Act 2010 relating to a breach of the sex equality clause implied into the terms of the claimant's work by virtue of section 66 of the Equality Act 2010 is well-founded.
2. The claimant was entitled, by virtue of the sex equality clause, to be paid £10 per hour for the period between the arrears day (20 September 2013) until her employment ended. The respondent breached the sex equality clause by failing to pay the claimant at that rate.
3. The respondent must pay the following amounts to the claimant:
  - a. arrears of pay of £19,443.55, calculated as shown in the table annexed;
  - b. interest on that amount of £4815.61, calculated as shown in the annex; and
  - c. an additional award pursuant to section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992 in respect of the

respondent's unreasonable failure to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures.

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Employment Judge Aspden

Date 29 November 2019

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

## Annex

**Arrears**

20 Sept 2013 to 31 March 2018	Arrears of £67.50 per week for 237.6 weeks	£16,065
1 April 2018 to June 2018	Arrears of £65.10 per week for 12 weeks	£781.20
July 2018 to 31 March 2019	Arrears of £39.06 per week for 40.1 weeks	£1566.31
1 April 2019 to 8 November 2019	Arrears of £32.22 per week for 32 weeks	£1031 .04
	<b>Total</b>	<b>£19,443.55</b>

**Interest**

Interest at 8% per annum for the period beginning on the mid-point date beginning with the arrears date (20 September 2013) and ending on the day of calculation (29 November 2019) on the sum of £19,443.55. The period from the midpoint to the calculation date is 1130 days.

$$\text{Interest} = £19,443.55 \times 1130/356 \times 0.8\% = £4815.61$$