



EMPLOYMENT TRIBUNALS

Claimant

Mrs Lisa Drew

-v-

Respondent

Sitel UK Limited

PRELIMINARY HEARING

Heard: **Remotely by the Cloud Video Platform** On: **29 September 2020**

Before: **Employment Judge Perry** (sitting alone)

Appearances

For the Claimant:

Mr G Graham (counsel)

For the Respondent:

Mr M Welsh (HR Director)

JUDGMENT

It is agreed the respondent's material factor defence fails and is dismissed.

The claimant's complaints shall proceed to a final merits hearing.

REASONS

1. This hearing was listed to determine solely the question of the respondent's material factor defence to the claimant's equal pay complaint. It was accepted by both parties that the basic premise behind the respondent's defence is that the role fulfilled by comparator identified by the claimant was not equivalent to the claimant's role and any differential in pay arose from the comparator's previous pay which again stems from that equivalence issue. That was not an issue for me today and those are matters for the final hearing. Those matters being so it was agreed the respondent's material factor defence fails.
2. A stage 1 equal pay hearing is listed for 15 October 2020. The parties agree that should stay in the list.
3. Of the matters that would normally be addressed with regard to the stage 1 hearing that have not been done as yet are questions for the expert. The claimant has agreed to draft and forward these to the respondent within the next few days so hopefully they can be discussed and agreed prior to the stage 1 hearing.
4. The final (merits) hearing is listed for 10 days commencing on 29 March 2021. I have impressed upon the parties the need to ensure that the case is progressed so that fixture is not jeopardised bearing in mind the pressures on tribunal time at this time and the considerable delay that would arise if that hearing could not proceed as listed.



5. The parties shall thus identify and attempt to agree any case management matters not addressed by Employment Judge Dimbylow that need to be addressed and how that should be done in advance of the 15 October 2020.

signed electronically by me

Employment Judge Perry

Dated: 29 September 2020

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.