



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss Kirsty Acaster

**Respondent:** Eden Mobility Limited

**Heard by CVP** Remote video link

**On:** 22, 23 and 24 August 2022

**Before:** Employment Judge Jones  
Ms J Lancaster  
Mr D Pugh

**REPRESENTATION:**

**Claimant:** In person

**Respondent:** Mr W Bailey, IT Manager

## JUDGMENT

1. The contract of employment between the claimant and the respondent included a sex equality clause that her remuneration would be no less favourable than that of Stephen Deverew, whose work was equal to the claimant's.
2. The respondent breached the sex equality clause by paying the claimant £4,000 less per annum than it paid Mr Deverew.
3. The respondent shall pay to the claimant arrears of pay arising from the breach in the total sum of **£6,897.39** and interest thereon of **£965.63** (see schedule).
4. The respondent unfairly dismissed the claimant.
5. The respondent shall pay compensation for the unfair dismissal in the sum of **£9,300** (see schedule). The recoupment provisions do not apply.
6. The decision is unanimous.
7. A direction was made under section 85A of the Courts Act 2003 to allow remote observation of the hearing.

# SCHEDULE

## Arrears of Pay

11 February 2019 – 23 March 2020, 13 months @ £333.33	= £4,333.33
24 March 2020 -19 July 2020, 3 months @ £266.66 [80%]	= £799.98
20 July 2020 – 13/10/20, 3 months @ £333.33	= £1,000
13/10/2020 – 3/1/21 in receipt of sick pay	
3/1/21 – 1/2/21, 1 month @ £333.33	= £333.33
2/2/21 – 23/3/21, 7 weeks @ £61.54 [80%]	= £430.75
Total arrears:	<b>£6,897.39</b>

Interest at 8% per annum, being £551.79 from the mid-point of the commencement of the unlawful conduct and the date of hearing which is 1.75 years.

Total interest on arrears:	<b>£965.63</b>
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## Unfair dismissal

### Compensatory award

Loss of earning for 6 months net	£8,800
Loss of statutory rights	£500
Total:	<b>£9,300</b>

Employment Judge Jones

Date: 24 August 2022

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