



EMPLOYMENT TRIBUNALS

Claimant: Mr S Wilkinson
Mr G Jagger

Respondent: University Hospitals of Morecambe Bay NHS Foundation Trust

Heard at: Manchester Employment Tribunal

On: 28, 29 and 30 November and 1 December 2022
2 December 2022 (Judgment only)

Before: Employment Judge Dunlop
Mr J Flynn
Ms C Gallagher

Representation

Claimants: In person
Respondent: Mr A Webster (counsel)

JUDGMENT

1. The Tribunal does not have jurisdiction to determine the claimants' claims of direct sex discrimination as they were presented outside the statutory time limit and it is not just and equitable to extend time.
2. With effect from 1 January 2020, the claimant's contracts of employment included a sex equality clause having the effect that their pay banding would be no less favourable than that of Joanne Peters and Leanne Breslin-James ("the comparators").
3. The respondent has breached that equality clause by remunerating the comparators at a higher rate than the claimants. The loss caused to the claimants by that breach will be quantified at a future remedy hearing, if not agreed between the parties.

**Case Nos: 2408966/2020
& 2409718/2020**

Date: 2 December 2022

SENT TO THE PARTIES ON
12 December 2022

FOR EMPLOYMENT TRIBUNALS

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.

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