



EMPLOYMENT TRIBUNALS

Claimant: Mrs S Kennedy

Respondents: 1. Spooner Industries Limited
2. Aegeus Industries Limited

Heard at: Leeds **on:** 6 to 8 December 2022

Before: Employment Judge Cox

Representation:

Claimant: Ms Firth, counsel

Respondents: Mr Holloway, counsel

JUDGMENT AT STAGE 1 EQUAL VALUE HEARING

1. The claim against the Second Respondent is dismissed on withdrawal by the Claimant.
2. The Respondent's defence of material factor by reference to market rate succeeds in relation to the comparators Mr Lewis-Jones and Mr Cassingham and the claim in relation to those comparators therefore fails and is dismissed.
3. The Respondent's defence of material factor by reference to market rate succeeds in relation to the comparator Mr Rankin to the extent only of the difference between the Claimant's salary and £80,000 from 17 January 2019 to June 2019, £82,000 from July 2019 to June 2020 and £83,640 from July 2020. The claim in relation to those differences fails and is dismissed.
4. The Respondent's defence of material factor by reference to market rate succeeds in relation to the comparator Mr Proctor in relation to the period from

17 January 2019 to 5 January 2020 only. The claim in relation to that comparator for that period fails and is dismissed.

5. The Respondent's defence of material factor by reference to market rate fails in relation to the comparators Mr Bentley and Mr Marson.

Employment Judge Cox

Date: 8 December 2022