



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs N Khan

**Respondent:** Eden insurance Services Limited

**Heard at:** Manchester (in person and by CVP)      On: 26,27 and 28 September 2023

**Before:** Employment Judge Leach

## REPRESENTATION:

**Claimant:** Mr Forrest (Solicitor)

**Respondent:** Mr Lassey (Counsel)

# JUDGMENT

1. The claimant succeeds in her complaint of constructive, unfair dismissal.
2. The claimant succeeds in her claim of unequal pay. Between the 1 December 2017 and 12 July 2021, the claimant was paid less than her comparator even though she was engaged on Like Work (within the meaning of section 65 Equality Act 2010).
3. Between 1 December 2017 and 20 May 2021 the difference between the claimant's pay and her comparator's pay was due to a material factor for the purposes of section 69 Equality Act 2010. As such the sex equality clause contained in the claimant's employment terms (by operation of section 66 Equality Act 2010) had no effect between those dates.
4. The sex equality clause was effective from 21 May to 12 July 2021.
5. This case is listed for a remedy hearing on 26 January 2024.

Employment Judge Leach  
Date 28 September 2023

**Case No: 2408862/21**

JUDGMENT SENT TO THE PARTIES ON

6 October 2023

FOR THE TRIBUNAL OFFICE

Notes

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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