# EMPLOYMENT TRIBUNALS

**Claimant:**  Mrs A Perkins

**Respondent:**  Marston (Holdings) Limited

**Heard at:**  Liverpool  **On:**  24, 25, 26 and 27 October 2023

**Before:**  Employment Judge Horne
**Members:**  Mr D Mockford
Mr J Murdie

**Representatives**
For the claimant: in person
For the respondent: Mr P Livingston, counsel

## JUDGMENT AT A STAGE 1 EQUAL VALUE HEARING

The unanimous judgment of the tribunal is that:

1.  The respondent has shown that the difference between the claimant's terms and the comparators' terms was because of the material factors of market forces, competition and expectation, and recruitment and retention of Enforcement Agents.

2.  The respondent has shown that reliance on those factors did not involve the respondent treating the claimant less favourably because of her sex than it treated the comparators.

3.  The claimant has not shown that, as a result of that factor, she and women doing work equal to hers were put at a particular disadvantage when compared with men doing work equal to hers.

4.  The sex equality clause in the claimant's terms therefore had no effect in relation to any difference between the claimant's terms and the comparators' terms.

5.  The claim is therefore dismissed.

6.  Had the respondent been required to show that reliance on those factors was a proportionate means of achieving a legitimate aim, the respondent would have failed to discharge that burden.

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Employment Judge Horne

27 October 2023

SENT TO THE PARTIES ON

2 November 2023

FOR THE TRIBUNAL OFFICE

**Note:**

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 28 days of the date when this judgment is sent to the parties. Time for requesting written reasons was extended under rule 5 of the Employment Tribunal Rules of Procedure 2013 by a case management order made orally at the hearing. If written reasons are provided, they will be entered onto the tribunal's online register, which is visible to internet searches.