



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 107502/2010

Held in Glasgow on 14 October 2021

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Employment Judge: F Eccles

Mrs J McCormack

Claimant

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East Ayrshire Council

Respondent

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

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The Judgment of the Employment Tribunal is that respondent was in breach of the sex equality clause in terms of the claimant's work and that the respondent shall pay to the claimant (i) arrears of pay in the sum of **£3,958.46** and (ii) interest in the sum of **£2,204.77** (being interest at the rate of 8% on the sum of £3,790.65 from the midpoint between 1 April 2007 to 14 October 2021).

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E.T. Z4 (WR)

REASONS

1. The claimant claimed a breach of the sex equality clause in her contract of employment with the respondent. The parties agreed a sum to be awarded for arrears of pay of £3,958.46. The respondent is obliged to make statutory deductions from the above sum before paying the claimant. In accordance with guidance from HMRC the deductions are understood to total £167.81.
2. Interest is claimed on the award for arrears of pay. The judicial rate of interest is 8%. Interest begins to accrue from the midpoint between 1 April 2007 to 14 October 2021 (the date of the judgment). It is agreed that the number of days since the midpoint is 2,655.
3. Interest has been awarded on the sum of £3,790.65 (£3,958.46 – £167.81) on the basis that this is the amount that the claimant was not paid by the respondent because of their breach of the sex equality clause. Interest has therefore been awarded in the sum of £2,204.77 being 8% on the sum of £3,790.65 from the midpoint between 1 April 2007 to 14 October 2021 (2,655 days). If the sum paid to the claimant after statutory deductions is more than £3,790.65 it is open to the claimant to seek a reconsideration of the judgment in relation to the sum awarded for interest.

Employment Judge: Frances Eccles
Date of Judgment: 14 October 2021
Date sent to parties 19 October 2021

This document should be treated as signed by me – Employment Judge F Eccles – in accordance with the Presidential Practice Direction of 1 May 2020.