



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs McCrae  
**Respondent:** London Underground Limited  
**Heard at:** Cambridge (by CVP)  
**On:** 11, 12, 13, and 14 March 2025  
**Before:** Employment Judge Murdoch  
**Members** Mrs Harris  
Mr Holford

## Appearances

For the claimant: Mr Toms, counsel

For the respondent: Ms Shepherd, counsel

## JUDGMENT

1. The unanimous judgment of the Tribunal is as follows:

1.1. The claimant's complaint in respect of equal pay is not well-founded and is dismissed. The claimant's work was like work to that of her comparators within the meaning of section 65 Equality Act 2010 but the respondent has shown a material factor defence within the meaning of section 69 Equality Act 2010. The claimant is therefore not entitled to be paid the premium night shift payments that her comparators were paid.

1.2. The claimant's complaint under the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 is not well-founded and is dismissed. The claimant was not treated less favourably on the ground that she is a part-time worker.

Approved by:

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Employment Judge Murdoch

Date 14 March 2025

REASONS SENT TO THE PARTIES ON  
22 March 2025

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FOR THE TRIBUNAL OFFICE

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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