



EMPLOYMENT TRIBUNALS

Claimant: Ms F Lacey

Respondent 1: Business Incubator C.i.c

Respondent 2: Mar-Pro Invest Holdings Ltd

HELD AT: Sheffield

ON: 31 July 2018

BEFORE: Employment Judge Rostant

REPRESENTATION:

Claimant: Mr A Mugliston of counsel

Respondent: Mr M Niedzwiedz, director

JUDGMENT

1. I find that the claimant was dismissed by reason of redundancy by Mar-Pro Invest Holdings Limited (R1) and is entitled to a redundancy payment in the sum of £720.
2. I find that her dismissal was unfair and I order R(1) to pay compensation as follows:
 - 2.1. Basic award £0 (reduced by redundancy payment, see 1 above).
 - 2.2. Loss of statutory rights - £500.
3. The claim against R(1) under Regulation 10 of the Maternity and Parental Leave Regulations 1999 is withdrawn and is dismissed.
4. I find that R(1) has made an unauthorised deduction from the claimant's wages by reason of a failure to pay her accrued holiday pay and is ordered to pay the claimant the sum of £624.
5. I find that R(1) has made an unauthorised deduction from the claimant's wages by reason of the failure to pay her accrued holiday pay of 11.5 days and is ordered to pay the claimant the sum of £636.99.

6. I find that R(1) has breached the claimant's contractual right to notice and is ordered to pay her the sum of two weeks wages at £276.93 per week, the total sum of £553.86.
7. The Recoupment Regulations do not apply to this Judgment.
8. I find that the claimant succeeds in her claims of discrimination under section 18 of the Equality Act 2010 and section 13 and 39 of the Equality Act 2010 (Race Discrimination) against Business Incubator C.i.c (the second respondent).
9. In respect of the above claims I award compensation as follows:-
 - 9.1. Injury to feelings - £5,000.
 - 9.2. Loss of earnings - £1,846.20.

Employment Judge Rostant

Date: 1 August 2018

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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