



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

and

Respondent

Mrs M Marquis

Balance Chiropractic Centres Limited

Held at: Watford

On: 22 and 23 August 2018

Before: Employment Judge Smail

Appearances

Claimant:

Mrs N Bhundia (Solicitor)

Respondent:

Debarred and no appearance

JUDGMENT

1. The Claimant has permission to add claims under section 18 of the Equality Act 2010 and section 104 of the Employment Rights Act 1996.
2. The Claimant was not an employee of the Respondent under section 230(1) of the Employment Rights Act 1996 and accordingly her claims of unfair dismissal and breach of contract are dismissed.
3. The Claimant was employed under a contract personally to do work within the meaning of s.83 of the Equality Act 2010 and so may bring claims under the 2010 Act.
4. The Claimant was a worker of the Respondent's under section 230(3)(b) of the Employment Rights Act 1996 and so may claim unauthorised deductions from earnings.
5. The Claimant was subject to pregnancy and maternity discrimination by the Respondent by reason of the following unfavourable acts:
 - (a) having her contract terminated by notice on 22 September 2016;

(b) having her notice foreshortened on 18 October 2016 when the termination became effective;

(c) the refusal or failure to pay 12 weeks' notice to the Claimant;

(d) the refusal or failure to pay the Claimant's unpaid expenses of £7,348.69.

6. The failure to pay expenses amounted, further, to unauthorised deductions from earnings.

7. The Respondent must pay to the Claimant the following amounts within 14 days:

1	12 weeks' notice net	£6,945.00
2	Unpaid expenses	£7,348.69
3	Relocations costs	£3,816.33
4	Injury to Feelings	£20,000.00
5	Interest on injury to feelings @ 8% p.a.	£3,066.66
6	Wasted costs	£2,200.00
	GRAND TOTAL	£43,376.68

Employment Judge Smail

South East Region

3/9/18

Judgment sent to the parties on
