



## EMPLOYMENT TRIBUNALS

**Claimant:** Szilvia Deak  
**First Respondent:** Portsmouth Ice Limited

**Heard at:** Southampton **On:** 19 April 2018  
**Before:** Employment Judge Gardiner

**Representation:**  
Claimant: In person  
First Respondent: No attendance

## JUDGMENT ON REMEDY

1. Paragraph 2 of the Judgment of Employment Judge Roper dated 4 January 2018 and sent to the parties on 21 January 2018 is corrected under Rule 69 of the 2013 Employment Tribunal Rules, so that it now reads as follows:

The Respondent discriminated against the Claimant contrary to Section 18 of the Equality Act 2010, namely because of her pregnancy.

2. The Claimant is awarded the following remedy for discrimination contrary to Section 18 of the Equality Act 2010:

2.1 Injury to feelings	£10,000
2.2 Net financial loss	<u>£4,894.05</u>
Total	<b>£14,894.05</b>

3. Interest on the discrimination award is calculated as follows over the relevant period to the present date being:

3.1 Injury to feelings at 8% pa from 18.5.17	£736.44
3.2 Net financial loss at 8% pa from 14.9.17	<u>£232.77</u>
Total	<b>£969.21</b>

4. The Claimant is awarded the sum of **£427.40 gross** as a remedy for unlawful deduction of wages, namely the pay that she ought to have received during the period from 9 May to 18 May 2017 inclusive.
5. The Claimant is awarded the sum of **£390 gross** as compensation for 6.5 days of accrued but untaken holiday pay.
6. No further award is made to the Claimant in relation to the claims for automatically unfair dismissal and breach of contract. ie failure to pay notice pay.
7. The awards made to the Claimant under paragraphs 2, 3, 4 and 5 are to be increased by 25% under Section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992, given that the Respondent has failed to follow the dismissal procedure set out in the ACAS Code of Conduct. This awards the Claimant the further sum of **£4170.17**.
8. In addition, the Claimant is awarded the sum of **£1200**, namely 4 weeks gross pay, as the remedy under Section 38 of the Employment Act 2002 for failing to provide the Claimant with any statement of employment particulars.

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Employment Judge Gardiner

Date: 30 April 2018

Reasons for this Judgment were provided orally, In accordance with Rule 62(3) of the 2013 Employment Tribunal Rules, written reasons will not be provided unless a written request is presented by either party within 14 days of the date on which this Judgment is sent to the parties