



# EMPLOYMENT TRIBUNALS

## Claimant

Mrs. H. Beadsworth

## Respondents

(1) Hasan Yurga  
(2) Coho Textile Ltd

v

**Heard at:** Watford

**On:** 26 July 2019

**Before:** Employment Judge Heal

## Appearances

**For the Claimant:** in person

**For the Respondents:** not present or represented

## JUDGMENT

1. The second respondent was in breach of contract in that it dismissed the claimant without notice. The claimant was entitled to three months' notice and the second respondent shall pay to the claimant compensation for that breach of contract in the sum of **£10,645.59** net (i.e. 3 x £3548.53 net per month).
2. The second respondent shall pay to the claimant a basic award for her unfair dismissal of **£1,016.00** (2 full years x 1 x £508). The effective date of termination was 14 December 2017.
3. The second respondent has made deductions from the claimant's wages as follows:  
  
October 2017 £1548.53 (13.27 days' pay)  
November 2017 £3548.53 (one calendar month's pay)  
December 2017 (to 14.12.17) £1633.30 (14 days at a daily rate of £116.66)  
Total to be paid: **£6,730.36** net
4. The first and second respondents are jointly and severably liable for the awards of compensation for disability discrimination as follows:
  - 4.1 The respondents will pay the claimant the sum of **£18,000** injury to feelings;
  - 4.2 The respondents will pay compensation for loss of earnings as follows:  
  
14 March 2018 to 14 March 2019 loss of earnings at £3,548.53 per month x 12  
= **£42,582.36**.

The claimant found alternative work from 14 March 2019 at £1007.72 net per month. Therefore, loss of earnings from 14 March 2019 to 26 July 2019: 133 days at a daily rate of £83.33 = **£11,109.95**

4.3 Future loss of earnings 27 July 2019 to 31 March 2022 (2 years and 248 days at a daily rate of £83.33) = **£82,190.88** net.

4.4 The awards shall each be uplifted by 25% to reflect the respondents' unreasonable failure to comply at all with the ACAS Code of Practice in relation to the claimant's grievance sent on 9 January 2018, as follows:

Breach of contract: £,2661.40  
Basic award: no uplift (section 124A Employment Rights Act 1996)  
Unauthorised deductions from wages: £1682.59  
Injury to feelings: £4,500  
Loss of earnings £33,970.80  
Total: **£42,814.79**.

4.5 The claimant shall be paid an award of interest on compensation for discrimination under SI 1996/2803 as follows:

Injury to feelings at 8% per annum from a mid-point during the period of discrimination of 30 October and 14 December 2017, i.e. 21 November 2017 to 26 July 2019:

1 year and 247 days: 8% plus 5.4 % = 13.4% = **£2,412**.

Loss of earnings to date at 8% from a mid-point between 14 March 2018 and 26 July 2019, i.e. 19 November 2018:

i.e. 5.47 % of the loss of earnings to 26 July 2019.

Loss of earnings to 26.7.19:  
£42,582.36 (14.3.18 to 14.3.19) + £11,109.95 = £53, 692.31

Therefore 5.47% of £53,692.31 = **£2,936.97**

4.6. The Recoupment Regulations do not apply.

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Employment Judge Heal

Date: 31/7/2019

Sent to the parties on: .....

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For the Tribunal Office