



EMPLOYMENT TRIBUNALS

Claimant: Mrs H L Macartney
Respondent: The Black Swan Hotel (Yorkshire) Limited
Heard at: Leeds **On:** 25, 26 and 27
November 2019
Before: Employment Judge D N Jones
Mr W Roberts
Ms A S Brown

REPRESENTATION:

Claimant: In person, supported by Mrs C Suddaby, mother
Respondent: Mr B Hendley, consultant

JUDGMENT

1. The claimant was discriminated against by the respondent in treating her unfavourably because she was exercising the right to maternity leave. The unfavourable treatment constituted the detriment of removing the claimant's profile and details from the company website.
2. The remaining complaints of discrimination on grounds of pregnancy and maternity, victimisation and direct sex discrimination are dismissed.
3. The complaint of breach of the Flexible Working Regulations 2004 is dismissed on the ground the claimant did not submit a written application.
4. The claimant did not resign as a consequence of a fundamental breach of contract of her employer. Her complaint of unfair dismissal is dismissed.
5. The respondent shall pay compensation to the claimant in the sum of £2,000 for the injury to her feelings as a consequence of the discrimination. It shall also pay to the claimant interest on that sum of £160.

Employment Judge D N Jones

Date: 27 November 2019

