



EMPLOYMENT TRIBUNALS

Claimant: Mrs Janice Smith

Respondent: Clear Box Premises Ltd

Heard at: Midlands (West) Employment Tribunal sitting at Stoke Combined Court Centre

On: 28 November 2019

Before: Employment Judge Cookson

Representation

Claimant: Ms Ferguson (counsel)

Respondent: Did not attend or submit a response

JUDGMENT

Upon the respondent not having filed a response and not defending the proceedings it is found that:

1. The respondent has harassed the claimant by reason of her sex and through unwanted conduct of a sexual nature contrary to section 26 of the Equality Act 2010. The claimant is awarded the sum of 18,000 for injury to feelings and £1,511.01 interest on that award at the rate of 8% for 383 days.
2. The respondent wrongfully dismissed the claimant and she is entitled to damages for one week's pay in respect of statutory notice. In accordance with s402(d) of the Income Tax (Earnings and Pensions) Act 2003 that sum will be subject to tax and accordingly the claimant is awarded £334.00.

3. The respondent has made unlawful deductions totalling £253.96 (net) in respect of wages between 2 and 5 April 2019 from the claimant's wages contrary to s13 Employment Rights Act 1996.
4. The respondent has made unlawful deductions totalling £467.60 (gross) in respect of outstanding holiday pay wages based on an outstanding entitlement of 7 days and weekly pay of £334.00, contrary to Regulation 14 of the Working Time Regulations 1998 and s13 Employment Rights Act 1996.

The total sum of £20,566.57 is payable to the claimant.

Employment Judge Cookson
28 November 2019

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