



EMPLOYMENT TRIBUNALS

Claimant: Mrs A Pienczak
Respondent: GT Race and Trailers Limited
Heard at: Nottingham
On: 17 and 18 February 2020
Before: Employment Judge Ahmed (sitting alone)

Representation

Claimant: In person
Respondent: Mr S Guthrie, Director

JUDGMENT

1. The Claimant was unfairly dismissed but there was at least a 50% chance that if the Respondent had followed a fair procedure she would have been fairly dismissed. The Claimant's compensatory award shall therefore be reduced by 50%.
2. The Claimant having already received a redundancy payment (equivalent to what would have been a basic award) is not entitled to any further compensation in respect of the basic award.
3. The Respondent is ordered to pay to the Claimant a compensatory award of £4,760.31.
4. The complaints of age and race discrimination are both struck out as the Claimant has not paid the deposits which were ordered earlier.
5. The Claimant (and/or her representative prior to this hearing) have acted "unreasonably" in the bringing and conducting of proceedings in relation to the complaints of age and race discrimination within the meaning of Rule 76(1)(a) of the Employment Tribunal Rules of Procedure 2013, as amended. The Claimant is ordered to pay to the Respondent £1,950.00 (net) in respect of a preparation time order.
6. The amount of the preparation time order may be deducted from the compensatory award so that the net sum due and payable by the Respondent to the Claimant in these proceedings is £2,810.31

7. The Recoupment Regulations do not apply.

Employment Judge Ahmed

Date: 15 April 2020

JUDGMENT SENT TO THE PARTIES ON

29/04/2020.....

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FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.