



EMPLOYMENT TRIBUNALS (ENGLAND & WALES)
LONDON CENTRAL

BETWEEN

Miss L Graham

Claimant

-and-

NSR Recruitment Ltd in Voluntary Liquidation

Respondent

Employment Judge:

Mr J S Burns

Representation

Claimant:

In person

Respondent

no ET3 or appearance

JUDGMENT

The Respondent must pay the Claimant £20832 immediately as damages for maternity discrimination.

REASONS

1. The hearing was conducted by CVP. I proceeded under Rule 21.
2. I heard evidence on oath from the Claimant and read her ET1, the contents of which she confirmed.
3. Despite the fact that the Respondent is in voluntary liquidation the Claimant confirmed that she wished to obtain a judgment. There is no evidence that any stay of this claim has been obtained under section 112 of the Insolvency Act 1986.
4. The Claimant started work on 1/1/2018 and was dismissed on 22/12/19. She did not have two years' service and for this reason cannot claim unfair dismissal.
5. There is no defence to her claim that she was dismissed because of her pregnancy and or pending maternity leave, so that claim (direct discrimination contrary to section 18 Equality Act 2010) succeeds.
6. Insofar as damages for injury to feelings for discrimination are concerned, I have noted what she told me about her shock when she learned of her dismissal and how this aggravated her health problems. I find the appropriate award under this head is £10000, including interest.
7. Insofar as loss of earnings is concerned she told me that she earned £2916 gross basic salary per month. The UK office and operation of the Respondent closed when the company went into voluntary liquidation on 28/2/202 and if she had not been dismissed on 22/12/2019 (as I must find, as an act of discrimination) she would have lost her employment

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anyway as a result of the liquidation on 28/2/20120. Hence her income lost as a consequence of the discrimination is about 2 months basic pay plus the commission of £5000 which she told me she would have been able to earn during that period. Hence the lost earnings award is $2 \times £2916 = £5832 + £5000 = £10832$.

J S Burns Employment Judge

London Central

18/9/2020

For Secretary of the Tribunals

date sent to the Parties – 18/09/2020