



EMPLOYMENT TRIBUNALS

Claimant: Mrs N Agarwal

Respondent: St John's Freight System UK Limited

Heard at: East London Employment Tribunal

On: 17 November 2020

Before: Employment Judge C Lewis

Members: Mrs A Berry
Dr S Chacko

Representation

Claimant: In person

Respondent: Grace Cullen -Counsel

REMEDY JUDGMENT

The unanimous judgment of the Tribunal is that it is just and equitable to award the Claimant the following amounts in consequence of her successful claims against the Respondent for discrimination contrary to s18 of the Equality Act 2010:

1. **Loss of earnings in the sum of £6664 .40** calculated as follows:

Loss of earnings from 2 January 2019 to 21 January 2019 - 13 days @£42.50
= £552.50;

18 February to 31 August 2019, 27 weeks at £298.52 = £8612.54
Less the statutory sick pay received during that period of £1948.14

2. **Injury to feelings in the sum of £7,000.00**

3. **Uplift of 20% for failure to follow the ACAS Code**

3.1 Total award for loss of earnings = **£7,997. 28**

3.2 Total award for injury to feelings £7000.00 x 20% = **£8,400.00**

4. Interest

[The correct interest rate being 8% - under Articles 2, 3 and 5 of the Employment Tribunals (**Interest on Awards in Discrimination Cases**) Regulations 1996 SI 1996/2803 **as amended by the Employment Tribunals (Interest on Awards in Discrimination Cases) (Amendment) Regulations 2013 SI 2013/1669.**]

- 4.1 Interest on loss of earnings award from the mid-point between 2 January 2019 and 17 November 2020, 354 days at 8% = £620.00.

The total award for loss of earnings after uplift and interest = **£8617.78**

- 4.2 Interest on injury to feelings form 24 October 2018 to 17 November 2020, 754 days at 8% = £1388.19.

The total award for injury to feelings after uplift and interest = **£9788.19**

5. Grand total award

The grand total award (loss of earnings and injury to feelings, plus uplift and interest) payable by the Respondent to the Claimant is **£18,405.97**

Employment Judge Lewis
Date: 20 November 2020