



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs F Bonell

**Respondent:** Swift Personnel Limited

**Heard at:** Birmingham Employment Tribunal by cvp

**On:** 11, 12 January, 11 and 12 February 2021

**Before:** Employment Judge Cookson sitting Mrs Astill and Mr Murray

## **Representation**

Claimant: Mr Ferguson (lay representative)

Respondent: Mr Livesy (attended on the first day only)

# JUDGMENT

It is the unanimous decision of this Employment Tribunal that:

1. The claimant was unlawfully discriminated against because of her pregnancy contrary to s 18(2) Equality Act 2010;
2. The claimant was unfairly dismissed contrary to s99 ERA because a reason for her dismissal was that she was pregnant;
3. The respondent breached the claimant's contract of employment when it failed to pay her for 3 days' notice;
4. The respondent failed to follow the relevant provisions of the ACAS Code of Practice and the claimant is awarded an uplift of 10% on her compensatory and discrimination awards;
5. The claimant is entitled to be paid the following compensation for her unlawful discrimination as follows:
  - a. In respect of lost earnings £4,647.88, uplifted by 10% to £5,112.67;
  - b. As compensation for injury feelings £15,000, uplifted by 10% to £16,500;
  - c. Damages for breach of contract £194.79.

- d. Interest on the awards for discrimination:
  - i. Compensatory award (402 days) £450.48
  - ii. Injury to feelings (805 days) £2,911.23

Total interest payable is £3,361.71.

- 6. The sums set out above are payable to the claimant by no later than 1 March 2021.

Employment Judge Cookson  
12 February 2021

#### 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](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.