



EMPLOYMENT TRIBUNALS

Claimant: Mrs Y Ruiz Ramirez

Respondent: Thai Express E1 Limited (in voluntary liquidation)

Heard at: East London Hearing Centre (in public; by Cloud Video platform)

On: 16 February 2021

Before: Employment Judge Moor
Members: Mrs S Jeary
Mrs M Legg

Representation

Claimant: Miss I Florea, trade union representative
Respondent: no appearance

JUDGMENT

It is the unanimous judgment of the Tribunal that:

1. it is just and equitable to extend time to hear the claim of pregnancy discrimination;
2. the Respondent discriminated against the Claimant because of pregnancy by dismissing her and by failing to place her on furlough;
3. the Respondent is ordered to pay to the Claimant £20,466.24. (See Appendix One for a calculation);
4. it was not reasonably practicable for the Claimant to bring her unfair dismissal complaint in time and it was presented within a reasonable time;
5. the complaint of unfair dismissal is not well-founded and does not succeed.

Employment Judge Moor
Date: 16 February 2021

APPENDIX ONE
CALCULATION OF COMPENSATION

Date of Calculation 16 February 2021
Date of discrimination 20 March 2020
Net monthly pay £1014.83
Net weekly pay £234.19
Interest at 8% per year

	£
1.	Injury to feelings
	11000.00
Interest for whole period i.e. 333 days 8% x 333/365 x 11000 =	802.85
2.	Past loss of earnings
a.	20.3.20 – 4.7.20 = 15
weeks x 234.19 x 80%	2810.28
b.	4.7.20-3.8.20 = 1 month x
1014.83	1014.83
c.	Loss of SMP 6 weeks x
234.19 x 90%	1264.62
d.	To today 22 weeks x
151.20	<u>3326.40</u>
	8416.13
Less half of UC received 2163/2	(1081.50)
Total Past Loss of Earnings	7334.63
Interest from mid-point i.e. 166 days 8% x 166/365 x 7334.63 =	266.86
3.	Future loss of earnings
for 12 weeks	
First 6 weeks at SMP of 151.20 =	907.20
Next 6 weeks at part time 50% = 6 x 234.19/2	<u>702.57</u>
	1609.80
1/3 of this deducted to reflect UC still paid	(547.86)
No childcare costs because part time.	
Total Future Loss of Earnings	1061.94
TOTAL AWARD (1 + 2 + 3)	20,466.28