



EMPLOYMENT TRIBUNALS

Claimant: Mrs D Dumbarton

Respondents: Mr L Collinge and Mrs J Collinge (a partnership)

Heard at: Liverpool **On:** 1 and 2 June 2021

Before: Employment Judge Benson

Members: Mr A Murphy
Mrs P Owen

Representation

Claimant: in person

Respondents: did not attend

JUDGMENT

1. The respondents operating as a partnership jointly employed the claimant.
2. The claimant was unfairly dismissed. This claim succeeds.
3. The complaint of discrimination on the grounds of the claimant's pregnancy succeeds.

REMEDY

The respondents are ordered to pay to the claimant the following sums:

- 1.1 The sum of **£10,831.90** (including an award for injury to feelings of £7500.00, losses of £2306.05 and £1025.85 interest) as compensation for discrimination.
- 1.2 The sum of **£689.64** being 4 weeks' pay for a failure to provide the claimant with a statement of main terms of employment.

Employment Judge Benson

Date 2 June 2021

JUDGMENT SENT TO THE PARTIES ON

21 June 2021

FOR THE TRIBUNAL OFFICE

Schedule

The claimant's net pay - 21 hours x £8.21 Claimant was dismissed on 6 February 2020	£172.41 per week
Claimant would have returned to work on 15 February 2020	
Losses from 15 February to 31 May 2020 when claimant would have commenced a period of maternity leave (15 weeks) (Total anticipated income less benefits received)	£2236.05
Travel costs in looking for new work	£70.00
Injury to feelings award (lower band)	<u>£7500.00</u>
	£9806.05
Interest at court rate (8%) from 6 February 2020 to date (68 weeks)	<u>£1025.85</u>
	£10,831.90
Award for failure to provide a section 1 Employment Rights Act 1996 statement of main terms and conditions of employment 4 weeks x £172.41	£689.64

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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2402347/2020**

Name of case: **Mrs D Dumbarton** v **Mr L Collinge and Mrs J Collinge (a partnership)**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 21 June 2021

"the calculation day" is: 22 June 2021

"the stipulated rate of interest" is: **8%**

For the Employment Tribunal Office