



EMPLOYMENT TRIBUNALS

Claimant
Carole Coveney

v

Respondent
Dometic UK Limited

Judgment

Heard at: Southampton

On: 23,24,25,26 August 2021

Before: Employment Judge Rayner
Mr D Stewart
Ms J Killick

Appearances

For the Claimant: Mr J Fireman, Counsel.

For the Respondent: Mr A McPhail, Counsel.

Declaration

1. The claimant was discriminated on grounds of pregnancy or maternity contrary to section 18 Equality Act 2010.
2. The claimant was subject to detriment contrary to section 47C ERA 1996. (pregnancy, maternity or childbirth).
3. The claimant was victimised contrary to section 27 Equality Act 2010.
4. The claimant was unfairly constructively dismissed on 20 July 2020.
5. The claimants claim that she was subject to detriment contrary to section 47E ERA 1996 (flexible work request) is dismissed.
6. The claimants claim that she was Automatically unfairly dismissed contrary to section 104C ERA 1996 is dismissed (flexible work).
7. The claimants claim that she was Automatically unfairly dismissed contrary to section 99 is dismissed. (leave for family reasons – pregnancy, maternity, childbirth)
8. The claimant was wrongfully dismissed and is entitled to be paid notice pay.

Remedy

9. The respondent will pay the claimant the sum of **£60,310.84** calculated as follows:

Basic award (Gross)	£3150.00	
Annual bonus (net)	£2500.00	
Injury to feeling award	£20,000.00	
Interest at 8% in injury to feeling award	£707.75	
Pre termination losses (Net)	£2500.00	
Loss of earnings at 70% of weekly net wage of £363 for period July 2020 – end December 2020	£5844.00	
Loss of earnings from 1 January 2021- 26 August 2021 @ £363 net per week	£12,342.00	
Future loss of earnings for 16 weeks from date of hearing (net)	£5808.00	
Compensation for loss of chance of promotion	£1500.00	
Loss of life insurance @ £6 per calendar month	£96.00	
Interest on loss of earnings (8% from mid-point(189 days)	£1196.92	
Loss of statutory rights	£300.00	
Grossing up calculations: (Total taxable amount including the injury to feeling award and interest, minus the claimant's tax free allowance of £30,000 less the basis award, divided by 0.8, because Cs tax rate is assumed as 20%)	£51,098.67 – (£30,000 – £3150) = £ 24,248.67/0.8 = <u>£30,310.84</u>	
Basic award	£3150.00	
Tax free element	£26,850.00	
Grossed up taxable element	£30,310.84	
Total award payable to the claimant		<u>£60,310.84</u>

Employment Judge Rayner

Dated: 27 August 2021

Judgment sent to parties: 5 October 2021

FOR THE TRIBUNAL SERVICE