



EMPLOYMENT TRIBUNALS

Claimant: Miss C Power

Respondent: Industrialcleaninguksolutions.co.uk Limited

Heard at: Cardiff (CVP) **On:** 5 January 2022

Before: Employment Judge R Evans

Representation

Claimant: Mr M Eade (CAB representative)

Respondent: Did not attend

JUDGMENT

1. The Claimant was discriminated against on grounds of pregnancy or maternity contrary to *section 18 Equality Act (EA) 2010*.
2. The Claimant's complaint of constructive unfair dismissal pursuant to *section 100 Employment Rights Act (ERA) 1996* is well founded and succeeds with the effective date of dismissal being 11 May 2021.
3. The Claimant's claim for holiday pay is not well-founded and is dismissed.
4. The Respondent will pay the Claimant the sum of **£5,762.75** calculated as follows:

ERA 1996 Award:

- a. Basic award: $(0.5 \times £190) \times 2 = \mathbf{£190.00}$.
- b. Loss of statutory rights: **£380.00**.
- c. Plus ACAS uplift = $£380.00 \times 1.15 = \mathbf{£437.00}$.

EA 2010 Award:

- d. Three months loss of earnings: $£760 \times 3 = \mathbf{£2,280.00}$.
- e. Plus ACAS uplift: $2,280.00 \times 1.15 = \mathbf{£2,622.00}$.
- f. Interest on loss of earnings: $(£2,622.00 \times 0.08) / 365 \times 120 = \mathbf{£68.96}$.
- g. Total loss of earnings: $£2,622.00 + 68.96 = \mathbf{£2,690.96}$.
- h. Award for injury to feelings: $\mathbf{£2,500.00}$.
- i. Interest on award for injury to feelings: $(£2,500.00 \times 0.08) / 365 \times 246 = \mathbf{£134.79}$.
- j. Total award for injury to feelings: $£2,500.00 + £134.79 = \mathbf{£2,634.79}$.

Signed by Employment Judge R Evans

5 January 2022

JUDGMENT SENT TO THE PARTIES ON 7 February 2022

FOR THE TRIBUNAL OFFICE Mr N Roche

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.