



EMPLOYMENT TRIBUNALS

Claimant: Ms A Chaudhry
Respondent: Adam Hotels UK Ltd
Heard at: London South Employment Tribunal
On: 23.03.2022
Before: Employment Judge Dyal, Ms J Saunders, Mr Sheath
Representation:
Claimant: in person
Respondent: did not attend and was not represented

JUDGMENT

Liability

1. The Claimant was unfairly dismissed contrary to s.104 Employment Rights Act 1996.
2. The Claimant was discriminated against because of sex contrary to s.13 and s.39 Equality Act 2010. In particular, at regular intervals during her employment, Mr Nawzil had outbursts at her in which he screamed and shouted.
3. The Claimant was dismissed without the statutory minimum notice of 4 weeks to which she was entitled by s.86 Employment Rights Act 2010.
4. The Respondent failed to pay the Claimant holiday pay contrary to regulations 13, 13A, 14 and 16 Working Time Regulation 1998.
5. The Respondent failed to provide the Claimant written particulars of employment contrary to s.1 Employment Rights Act 1998. An uplift of the award is appropriate pursuant to s.38 Employment Rights Act 1996.

Remedy

Sex discrimination: loss of earnings pre-dismissal	£1,283.58
Sex discrimination: interest on loss of earnings pre-dismissal	£75.96
Sex discrimination: loss of earnings flowing from termination	£697.60
Sex discrimination: interest on loss of earnings flowing from termination	£36.24
Injury to feelings (award relates to pre-dismissal discrimination only)	£12,000.00
Interest on injury to feelings	£2,148.82
Unfair dismissal: basic award	£558.08
Unfair dismissal: compensatory award (loss of earnings compensated under sex discrimination; award limited to loss of statutory rights)	£139.52
Holiday pay	£2,362.63
Failure to provide written particulars: 4 weeks pay	£558.08
Notice pay: notice period already compensated under sex discrimination	£0.00
Grossing up: It is assumed that the only taxable elements are loss of earning prior to dismissal, the interest thereon and holiday pay. Grossing up is achieved by multiplying those sums by 1.25. The Claimant is a now lower rate taxpayer.	£4,652.71
Grand total	£24,513.22

Employment Judge Dyal

Date 25 March 2022