



EMPLOYMENT TRIBUNALS

Claimant: Mrs K Swanepoel

Respondent: Personal Track Safety Limited (in Voluntary Liquidation)

Heard at: Cambridge **On:** 21 March 2022

Before: Employment Judge K Welch
Mr D Snashall
Mr J Williams

Representation

Claimant: Ms M Wisniewska, Representative
Ms M Dzinik, Polish Interpreter

Respondent: No attendance

JUDGMENT

The unanimous decision of the Tribunal is that:

1. The Claimant's claims of direct race discrimination and direct age discrimination under section 13 Equality Act 2010 are well founded and succeed.
2. Any claim for failure to collectively consult in respect of the claimant's redundancy is dismissed.
3. The Respondent is ordered to pay the Claimant the total sum of **£13,977.22** calculated as set out below:
 - a. Injury to feelings award in the sum of £8,000;
 - b. Loss of earnings in the total sum of £5,063.38 made up as follows:
 - i. Loss of earnings from 1 to 14 September 2020 (2 weeks) at £456.92 being £913.84;
 - ii. Loss of earnings from 14 Sept 2020 to 3 April 2021 (29 weeks) at £43.85 being £1,271.54;
 - iii. Loss of earnings from 4 April 2021 to 21 March 2022 (50 weeks) at £36.46 being £1,823.00;
 - iv. Future loss of earnings from 21 March 2022 until 1 April 2023 (54 weeks) at £36.46 being £1,968.84

- c. The recoupment provisions apply:
- i. Prescribed period: 1 to 14 Sept 2020
 - ii. Total award: £13,977.22
 - iii. Prescribed element: £913.84 (to be retained pending recoupment notice with any balance to be paid to the Claimant)
 - iv. Balance: £13,063.38 (to be paid immediately)

Employment Judge Welch

Date: 22 March 2022

JUDGMENT SENT TO THE PARTIES ON

22 April 2022

FOR THE TRIBUNAL OFFICE

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.