



EMPLOYMENT TRIBUNALS

Claimant: Miss Susan Godfrey

Respondent: Premier Cars Bangor Limited (in voluntary liquidation)

Heard at: Cardiff (wholly CVP)

On: 29 September 2022

Before: Employment Judge R Brace

Non legal members: Mrs A Burge and Miss H Mason

Representation

Claimant: Mr T Rushton (Counsel)

Respondent: Did not attend

JUDGMENT

The unanimous decision of the Tribunal is:

1. The Claimant was unfairly dismissed and is entitled to a basic award.
2. The complaint of wrongful dismissal is not well founded and is dismissed.
3. The Claimant was at the relevant times a disabled person by reason of her COPD and back pain and her dismissal was an act of discrimination arising from her disability. The complaint brought under s.15 Equality Act 2010 is well founded.
4. The claims for unpaid holiday pay succeeds and the Claimant is entitled to payment in respect of accrued unpaid holiday pay of one week's pay.
5. The Tribunal makes an award of two weeks' pay under s.38 Employment Act 2002.

The Respondent must pay to the Claimant the sum of **£3,230.76** calculated as follows

Basic Award	£865.38
Loss of statutory rights	£500.00
Unpaid holiday pay (gross)	£288.46
Injury to feelings	£1,000.00
s.38 Employment Act 2002	£576.92
Total	£3,230.76

Employment Judge R Brace

Date: 29 September 2022

JUDGMENT SENT TO THE PARTIES ON 3 October 2022

FOR EMPLOYMENT TRIBUNALS Mr N Roche

NOTE:

This is a written record of the Tribunal's decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal's Rules of Procedure 2013.