



EMPLOYMENT TRIBUNALS

Claimant: Mrs M Gonciarska
Respondent: Holland & Barrett Retail Limited
Heard at: Nottingham Employment Tribunal
On: 12 December 2022
Before: Employment Judge K Welch (sitting alone)

Representation

Claimant: In person, supported by Mr K Piater, her cousin
Polish Interpreter: Ms M D Niedziolka
Respondent: Mr D Brown, Counsel

JUDGMENT AT AN OPEN PRELIMINARY HEARING

1. The claimant's claim for a redundancy payment is dismissed upon withdrawal by the claimant.
2. The claimant's application for leave to amend her claim is allowed in part, namely that in addition to her claims for automatic unfair dismissal, unfair dismissal, and holiday pay she claims:
 - a. Pregnancy and maternity discrimination in respect of the following alleged unfavourable treatment:
 - i. being blocked from management meetings from 29.5.20 until the date of her dismissal;
 - ii. having her emails/ payslips blocked at some point during maternity leave but specifically on 16.8.21;
 - iii. Failure to implement a pay increase between 1.10.20 and the claimant's dismissal;
 - iv. Failure to respond to the claimant's grievance dated 3.11.21.
 - b. Failure to provide a statement of employment particulars contrary to section 38 Employment Act 2002.
3. The respondent's application for a deposit order is refused.

Employment Judge Welch

Date 14 December 2022

JUDGMENT SENT TO THE PARTIES ON

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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.