



EMPLOYMENT TRIBUNALS

Claimant:

Miss N Karczewska

v

Respondent:

JP Construction 1 Limited
(formerly known as
Z&E Ciastek Limited)

Heard at:

Reading

On: 7 December 2022

Before:

Employment Judge Hawksworth
Mr A Kapur
Mrs F Tankard

Appearances

For the Claimant: In person

Polish interpreter: Ms M Jakubowska

For the Respondent: No attendance or representation

JUDGMENT

1. The claimant's claims for pregnancy discrimination, notice pay and holiday pay succeed.
2. The respondent failed to give the claimant a written statement of employment particulars as required by section 1 of the Employment Rights Act 1996.
3. The respondent unreasonably failed to comply with the Acas Code of Practice on Disciplinary and Grievance Procedures.
4. The respondent is ordered to pay the claimant the sum of £15,272.71. This is made up of:
 - a. Compensation for discrimination (financial losses) of £6,836.10 which includes interest of £672.30;
 - b. Compensation for injury to feelings of £4,876.48 which includes interest of £876.48;
 - c. £1,707.68 in respect of 26.4 days' holiday accrued but untaken at the end of the employment
 - d. £375.06 in respect of one week's notice pay;
 - e. £750.12, an award of two weeks' pay in respect of the failure to provide written statement of employment particulars;

- f. An uplift of 5% in respect of the unreasonable failure to comply with the Acas Code of Practice.
5. The figure at 2d is a gross figure. Payment of the net amount for 2d, after the appropriate deductions for tax and employee national insurance, will only be acceptable compliance with this order if the respondent pays the appropriate tax and employee national insurance to HMRC, and, at the same time as payment to the claimant of the net sum, the respondent provides the claimant with confirmation that the payments have been made to HMRC. Otherwise, the full sum is payable to the claimant.

Employment Judge Hawksworth

Date: 7 December 2022

Sent to the parties on: 5/1/2023

NG

For the Tribunal Office

Note:

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:

All 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.