



EMPLOYMENT TRIBUNALS

Claimant: Miss H Warner-Denny
Respondent: Headwear (UK) Limited
Heard at: East London Hearing Centre (via CVP)
On: 12 and 13 January 2023
Before: Employment Judge S Warren
Members: Ms J Henry
Ms A Berry

Representation:

For the Claimant: Miss Linford, Counsel
For the Respondent: Mr Ogilvie – Harris (ex Managing Director)

JUDGMENT

The unanimous judgment of the Tribunal is that :-

1. The claim of unfair constructive dismissal succeeds. The Claimant was unfairly dismissed.
2. The claim under section 18 of the Equality Act 2010 succeeds. The Claimant was discriminated against during the protected period of her pregnancy.
3. The claim of indirect sex discrimination fails and is dismissed.
4. The claim of unlawful deductions from wages succeeds. The Claimant is entitled to be compensated for sickness absence of up to 10 days.
5. The claim of failure to handle a claim under the terms of section 80 F-H of the Employment Rights Act 1996 (an application for flexible and part time working) fails and is dismissed.

6. The claim of wrongful dismissal succeeds. The Claimant is entitled to one month's contractual notice pay.

**Employment Judge Warren
Dated: 23 January 2023**