



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms G Bishop

**Respondent:** The Workshop Coffee House Ltd

**Heard at:** East London Hearing Centre (by video)

**On:** 12 December 2022

**Before:** Tribunal Judge Overton acting as an Employment Judge

**Representation**

Claimant: Mr MacMillan (Counsel)

Respondent: No appearance

## REMEDY JUDGMENT & CORRECTION

1. The liability and partial remedy hearing was held on 22 November 2022. The Claimant's claims of unauthorised deduction from wages, wrongful dismissal, automatic unfair dismissal and pregnancy discrimination succeed under rule 21 because the claims were not responded to.
2. Remedy was also decided for the claims of unauthorised deduction from wages, wrongful dismissal and automatic unfair dismissal. A hearing to decide remedy in the claim of pregnancy discrimination was scheduled for 12 December 2022.
3. During the remedy hearing of 12 December 2022, it became apparent that an incorrect date for the commencement of maternity leave had been used in the remedy calculation in respect of the award for automatic unfair dismissal. The correct amounts awarded are detailed below. The correction is made under rule 69 of the Employment Tribunal Rules of Procedure.
4. The Respondent was previously ordered to pay £216.41 in respect of unauthorised deductions from wages and unpaid accrued holiday.
5. The Respondent was previously ordered to pay £234.36 in respect of notice pay.
6. In respect of automatic unfair dismissal, the Respondent is ordered to pay £7,408.33. This calculation replaces the calculation contained in the judgment dated 28 November 2022. Recoupment applies as the Claimant was in receipt of benefits in the prescribed period. The details are set out below.

7. In respect of pregnancy discrimination, the Respondent is ordered to pay £9,000.00 in injury to feelings.
8. A 10% uplift applies to the breach of contract, automatic unfair dismissal awards and to the award for injury to feelings for pregnancy discrimination.

Breach of contract (Notice Pay)	1 week (19/03/22 - 25/03/22)	£234.36
Unauthorised Deduction from Wages and Breach of Working Time Regulations 2008		£216.14
Automatic Unfair Dismissal - compensatory award	22.2 weeks (26/03/22 - 30/08/22) x £234.36 = £5,202.79  6 weeks Statutory maternity Pay at 90% (30/08/22 - 10/10/22) = £1,265.58  6 weeks Statutory Maternity Pay (11/10/22 - 21/12/22) = £939.96	£7,408.33
ACAS uplift on compensatory award	10%	£740.83
ACAS uplift on notice pay	10%	£23.43
Injury to Feelings		£9,000.00
ACAS uplift on injury to feelings	10%	£900.00
Prescribed element		£7,408.33
Prescribed period	26/03/22 - 21/11/22	
Total amount of award		£18,523.09
Balance (total award less prescribed element)		£11,114.76