



EMPLOYMENT TRIBUNALS

Claimant: Ms Laura Nottola

Respondents: Atelier Clifton Limited (1)
Ms Ella Hawkey (2)

Heard at: Bristol

On: 20 to 22 February 2023

Before: Employment Judge C H O'Rourke
Ms L B Simmonds
Ms L Fellows

Representation:

Claimant: Mr M Sellwood - Counsel

Respondents: Mr P Collins - Legal representative (Peninsula)

JUDGMENT

1. The First Respondent automatically unfairly dismissed the Claimant for the reason of her pregnancy.
2. Both Respondents directly discriminated against the Claimant on grounds of her pregnancy.
3. The First Respondent unreasonably failed to provide the Claimant with written reasons for her dismissal.
4. The Claimant's claim of automatic unfair dismissal for health and safety reasons fails and is dismissed.

REMEDY

1. Both Respondents are ordered, on a joint and several basis, to pay the Claimant the sum of £58,556.94 (as set out in the attached schedule and as amended from the oral judgment).
2. The First Respondent is ordered to pay the Claimant the sum of £1076.00.

Employment Judge O'Rourke
Dated: 23 February 2023

Judgment sent to the Parties on 03 March 2023

For the Tribunal Office

Enclosure:

Remedy Schedule

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.

Remedy Schedule

Basic Award (agreed to be nil)

Compensatory Award

Loss of Earnings

7 January 2021 (not 22 December 2020, as previously ordered)
to 6 July 2021 - 26 weeks, minus one day,
at the agreed weekly net figure of £471.28
and daily figure of £94.26 £12,159.02

8 July 2022 to 14 January 2023 – twenty-seven weeks
(at the agreed weekly net figure of £471.28) £12,724.56

Sub-total £24,883.58

Less earning in mitigation of loss (£2190.00)

Sub-total £22,693.58

ACAS Uplift at 25% £5,673.40

Sub-total £28,366.98

Interest at 8% for the agreed number of 397 days
at a daily rate of £6.22 £2469.34

Total Compensatory Award £30,836.32

Injury to Feelings £13,000.00

ACAS Uplift at 25% £3250.00

Sub-total £16,250.00

Interest at 8% for the agreed number of 793 days
at a daily rate of £3.56 £2823.08

Total Injury to Feelings Award £19,073.08

Aggravated Damages £2,000.00

ACAS Uplift at 25% £500.00

Sub-total £2500.00

Interest at 8% for 793 days at a daily rate of £0.55 £436.15

Total Aggravated Damages £2936.15

Failure to provide reasons for dismissal
(at the agreed figure of two weeks' pay of £1076) £1076.00

Grand Total £53,921.55

Deductions prior to Grossing Up

Tax free element and award for dismissal reasons (£31,076.00)

Sub-total £22,845.55

Grossing up at 20% £28,556.94

Add-back of pre-gross up deductions £31,076.00

Grand Total Award £59,632.94