



EMPLOYMENT TRIBUNALS

Claimant: Miss F B Yasin

Respondent: Swift Lawyers Ltd

Heard at: Manchester Employment Tribunal **On:** 10 March 2023

Before: Employment Judge Dunlop
Mr I Taylor
Ms L Atkinson

Representation

Claimant: In person
Respondent: Ms L Halsall (counsel)

Judgment having been sent to the parties on 2 February 2023 declaring that the respondent discriminated against the claimant on grounds of her pregnancy and unfairly dismissed her, the tribunal unanimously awards the following remedy:

REMEDY JUDGMENT

1. The respondent is ordered to pay the claimant £15,000.00 in respect of injury to feelings, and interest in the sum of £2,278.36 calculated as follows:

Start date 16 April 2021 to end date 10 March 2023 = 1 year 328 days.

Interest at 8% for 1 year = £1,200.

Interest at 8% for 328/365 = £1,078.36

2. The Tribunal determined that, acting reasonably, the claimant would fully mitigate her loss by 10 April 2023. Following that determination, the parties invited the Tribunal to make an award in respect of loss of earnings in the agreed sum of £942.24, which the Tribunal duly does. In addition, the Tribunal awards interest of £71.66 calculated as follows:
Midpoint date for loss of earnings = 28 March 2022
Start date 28 March 2022 to end date 10 March 2023 = 347 days
Interest at 8% for 347/365 = £71.66

3. By agreement, there is no basic award in respect of the unfair dismissal claim as this was extinguished by the claimant's redundancy payment.
4. By agreement, the Tribunal makes a compensatory award of £500 reflecting loss of statutory rights. All other relevant heads of damage are accounted for in the awards made at paragraphs 1 and 2 above in respect of the discrimination claim.
5. The total sum payable by the respondent to the claimant is therefore **£18,792.26**
6. The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply to this award.

Employment Judge Dunlop

Date: 10 March 2023

JUDGMENT SENT TO THE PARTIES ON
16 March 2023

FOR EMPLOYMENT TRIBUNALS

Note

Reasons for the judgment were given orally at the hearing. A request for written reasons was made at the conclusion of the hearing and written reasons will be provided in due course. No further request is necessary.

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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2407552/2021**

Name of case: **Miss F B Yasin** v **Swift Lawyers Limited**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 16 March 2023

the calculation day in this case is: 17 March 2023

the stipulated rate of interest is: **8% per annum**.

Mr S Artingstall
For the Employment Tribunal Office

GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:
www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.