



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms E Saunders

**Respondent:** M&S Auto Electrical Ltd

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**Heard at:** Birmingham by CVP **On:** 20 February 2023

**Before:** Employment Judge Connolly (sitting alone)

### Appearances

For the claimant: Mr R Downey (Counsel)

For the respondent: No attendance or representation

## JUDGMENT

In circumstances where the respondent's response was struck out and having heard evidence from the claimant and submissions from her representative, the Judgment of the Tribunal is as follows:

1. The respondent discriminated against the claimant because of her pregnancy contrary to s.18 and s.39(2)(c) and (d) of the Equality Act 2010.
2. The respondent dismissed the claimant within the meaning of s.95(1)(c) of the Employment Rights Act 1996; the principal reason for the dismissal was the claimant's pregnancy and/or was connected with the claimant's pregnancy and the dismissal was unfair pursuant to the terms of s.99 of the Employment Rights Act 1996 and regulation 20 of the Maternity and Parental Leave Regulations 1999.
3. The respondent made unauthorised deductions from the claimant's wages in respect of the period worked from 30 August 2021 – 1 September 2021.
4. The respondent failed to pay the claimant in respect of holidays accrued but not taken at the date of termination of her employment.

5. The respondent is ordered to pay the claimant a total sum of **£29,415.16** which comprises:

- 5.1 £12,000 in respect of injury to feelings
- 5.2 £10,497.51 in respect of past loss of earnings
- 5.3 £4,631.90 in respect of future loss of earnings
- 5.4 £1,415.01 interest on the injury to feelings award
- 5.5 £618.92 interest on past loss of earnings
- 5.6 £270 basic award in respect of unfair dismissal
- 5.7 £126 in respect of the unauthorised deduction from wages
- 5.8 £125.82 in respect of holiday pay.

**Employment Judge Connolly**

Signed on 21 February 2023