



EMPLOYMENT TRIBUNALS

Claimant

Ms K Gilbert

Respondent

Mr Paul Scowen
trading as The Cleanologists

Heard at: Reading by CVP

On: 9 May 2023

Before: Employment Judge Manley
Ms C Baggs
Mr F Wright

For the Claimant: In person
For the Respondent: No attendance

JUDGMENT

1. The claimant's complaints of direct pregnancy discrimination, automatically unfair dismissal and unlawful deduction of wages succeed.
2. The awards will be increased by 10% because of the respondent's failure to follow the ACAS Code of Practice on disciplinary procedures.
3. Interest at the rate of 8% is also added to the awards.
4. The respondent is ordered to pay the following sums to the claimant:-

Damages for discrimination (including the unfair dismissal)

Gross weekly pay £290.30 - net weekly pay £274.54 – net daily rate £54.90

(i) Loss of earnings

18 weeks to start of maternity leave	£4941.72
Holiday accrued in 18 weeks 9.67 days x £54.90	£530.88
6 weeks SMP @ 90% of £290.30	£1567.62

33 weeks SMP @ £151.97	£5015.01
Sub-total	£12,055.23
Less 39 weeks Mat Allowance @£156.66	£6109.74
	£5945.49
Add 10%	£594.54
Sub-total	£6540.03
Add 8% interest from mid-point of discrimination (daily rate £1.43 x 450 days)	£643.50
Total	£7183.53

(ii) Injury to feelings

Tribunal award	£25,000
Add 10%	£2,500
Sub-total	£27,500
Add 8% interest from date of discrimination (daily rate £6.02 x 900 days)	£5418

Total **£32,918**

Unlawful deduction of wages (as in Claim form) **£465**

Total sum to be paid to the claimant by the respondent **£40,566.53**

Employment Judge Manley

Dated 10 May 2023

Sent to the parties on: 7 June 2023
GDJ
For the Secretary to the Tribunals