



EMPLOYMENT TRIBUNALS

Claimant: Miss K Karpal

Respondent: Chevron Energy Limited

Heard at: East London Hearing Centre (in public; by CVP)

On: 20, 21, 22 June 2023

Before: Employment Judge Gordon Walker

Members: Mr P Lush
Ms G McLaughlin

Representation

For the claimant: In person
For the respondent: Ms R Levene, counsel

JUDGMENT

1. The respondent treated the claimant unfavourably because of pregnancy related illness, contrary to section 18 Equality Act 2010, by:
 - a. Calling the claimant to a video meeting on 6 June 2022;
 - b. Making a comment and/or question at the meetings of 16 May 2022 and 6 June 2022 about why the claimant did not have a termination at another time;
 - c. Giving the claimant two weeks to improve at that meeting or face dismissal; and
 - d. Constructively dismissing the claimant.
2. The constructive discriminatory dismissal claim was presented within the time limit at section 123(1)(a) Equality Act 2010. All of the successful claims were conduct extending over a period ending with the constructive dismissal, within the meaning of section 123(3)(a) Equality Act 2010. Alternatively, the other claims were presented within such period as the Tribunal thought just and

equitable (section 123(1)(b) Equality Act 2010).

3. The claimant's other claims of unfavourable treatment because of pregnancy or pregnancy related illness are not well founded and are dismissed.
4. The Tribunal finds that, if the discrimination had not occurred:
 - a. The respondent would have given the claimant a further two months to demonstrate an improvement in her performance. The respondent would have paid the claimant her full salary and benefits during this period; and
 - b. There is a 75% chance that the claimant would have remained employed by the claimant after that two-month period.

Employment Judge Gordon Walker
Date: 22 June 2023