



EMPLOYMENT TRIBUNALS

Claimant: Miss J. Boulton
Respondent: Fixatex Limited

Remedy Hearing

Heard at: Cambridge by Video **On:** 23 May 2023
Before: Employment Judge Boyes
 Ms L. Feavearyear
 Mr D. Snashall

Appearances

For the Claimant: In person
For the Respondent: Mr Fuller, counsel

JUDGMENT

The unanimous Judgment of the Employment Tribunal is that: -

There is no recommendation.

The claimant is awarded the sum of £34,051.63, inclusive of interest, as compensation for discrimination on the grounds of sex (sections 13, 26 and 27 Equality Act 2010).

Calculation of award

Age at dismissal: 28

Commencement of employment: 24/8/2020

Net monthly pay: £1636.96

Net daily pay: £53.82

Compensation for past loss of earnings:

Claimant unemployed for 113 days

113 days x £53.82 = £6081.66

Less pay in lieu of notice (one week) – 7 x 53.82 = £376.74

= £5704.92

Plus loss of employer pension contribution = £174.27.

The sum awarded for loss of employer pension contribution is awarded gross and so is subject to any tax and national insurance payable which is to be deducted by the respondent

Compensation for past losses = £5878.50

Add uplift of 25% for breaches of the ACAS Code of Practice in respect of grievance procedure and disciplinary procedure =£1469.63

Total Compensation for past losses = £7348.13

Injury to Feelings

=£18,250

Add uplift of 25% for breaches of the ACAS Code of Practice in respect of grievance procedure and disciplinary procedure = £4562.50

Total compensation for injury to feelings = £22,812.50

Interest

The Tribunal did not make reference to interest when giving judgment orally. The Tribunal considers it appropriate in the circumstances of this case to award interest under regulation 2 the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996.

The Tribunal awards interest on both compensation for past losses and injury to feelings as follows:

Interest on compensation for loss of earnings:

Interest rate - 8%

$113/2 \times 0.08 \times 1/365 \times £7348.13 = £91$

Interest on injury to feelings

Date of discriminatory act: 23 April 2021

Calculation date: 23 May 2023

Interest rate - 8%

$760 \text{ days} \times 0.08 \times 1/365 \times 22,812.50 = £3800$

Total interest = £3891

TOTAL AWARD = £7348.13 + £22,812.50 + £3891 = £34,051.63

Employment Judge Boyes

Date: 21 June 2023

Sent to the parties on:27 June 2023

.....
For the Tribunal Office

Note

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.