



# EMPLOYMENT TRIBUNALS

**Claimant: Miss G. Barlow**

**Respondent: Goodlife Barbershop limited**

**Heard at: London South via CVP**

**On 29 and 30 January 2024**

**Before: Employment Judge T.R. Smith**

**Mr. Okitikpi**

**Mr. Adolphus**

**Representation**

**Claimant: In person**

**Respondent: No attendance**

## JUDGMENT

1.The claimant was an employee of the respondent for the purposes of sections 230 (1) of the Employment Rights Act 1996 and section 83 of the Equality Act 2010 from 27 July 2020.

2.The claimant's complaint of ordinary unfair dismissal is dismissed.

3.The respondent unreasonably failed to comply with the ACAS code of practice on disciplinary and grievance procedures 2015 and it is just and equitable to increase the awards in respect of the discriminatory dismissal, breach of contract, and the Working Time Regulations 1998 by 25% in accordance with section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992.

4.The claimant's complaint of breach of contract is well-founded and the respondent ordered to pay the claimant forthwith **£462.50** as damages for breach of contract (one week's pay plus 25% uplift). This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as post-employment notice pay.

5.The claimant's complaint in respect of holiday pay is well-founded. The respondent failed to pay the claimant in accordance with regulation 16 (1) of the Working Time Regulations 1998. The respondent shall forthwith pay the claimant **£4972.50** (53 days plus 25% uplift). The claimant is responsible for paying any tax or national insurance.

6.The claimant's complaint of an unauthorised deduction from wages is not well-founded and is dismissed.

7.When the proceedings were begun the respondent was in breach of its duty to provide the claimant with a written statement of employment particulars. There are no exceptional circumstances that make an award of an amount equal to 2 weeks gross pay unjust or inequitable. It was just and equitable to make an award of an amount equal to 4 weeks gross pay. In accordance with section 38 of Employment Act 2002 the respondent shall forthwith pay the claimant **£1480**.

8.The claimant's complaint of pregnancy and maternity discrimination is well-founded and succeeds:-

The tribunal declined to make a recommendation.

The respondent shall pay the claimant the following sums:

**£33850.52** (inclusive of 25% uplift) as compensation for past financial losses and

**£ 2255.45** Interest on compensation for past financial losses calculated in accordance with the Employment Tribunal's (Interest on Awards in Discrimination Cases) Regulations 1996 and

**£12500** (£10,000 plus 25% uplift) compensation for injury to feelings and

**£1668.49** Interest on compensation for injury to feelings calculated in accordance with the Employment Tribunal's (Interest on Awards in Discrimination Cases)

Regulations 1996.

The above figures are grossed to produce an additional figure of **£5068.61**.so the total award is **£55343.07**.

9.The Employment Protection (Recoupment of Benefits) Regulations 1996 as amended do not apply.

Employment Judge **T.R.Smith**

Date **30 January 2024**

JUDGMENT SENT TO THE PARTIES ON  
**1<sup>st</sup> February 2024**

FOR THE TRIBUNAL OFFICE

### **Notes**

Reasons for the judgment having been given orally at the hearing, 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.

### **Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

### **Recording and Transcription**

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>