



EMPLOYMENT TRIBUNALS

Claimant: Ms A Sivakova

Respondent: Zuno Limited

Heard at: London South Employment
Tribunal

On: 24, 25, 29 and 30 January
2024

Before: Employment Judge Burge
Mr C Wilby
Mr M Cann

Representation:

Claimant: In person

Respondent: Mr Smotek (Respondent's owner)

JUDGMENT

The judgment of the Tribunal is as follows:

1. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed.
2. The Claimant would have been fairly dismissed within 4 weeks.
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 compensatory award payable to the claimant by 25% in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.
4. The respondent shall pay the claimant the following sums:
 - (a) A basic award of **£743.50**.
 - (b) A compensatory award of **£1,566.18**.

Note that these are actual the sums payable to the claimant after any deductions or uplifts have been applied.

5. The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply to this award.
6. The complaint of harassment related to sex is well-founded and succeeds.
7. One complaint of victimisation is well-founded and succeeds.
8. The other complaint of victimisation is not well-founded and is dismissed.
9. The respondent shall pay the claimant the following sums:
 - (a) Compensation for injury to feelings: **£4,000;**
 - (b) Interest on compensation for injury to feelings calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996: **£826.74**
10. The total amount payable by the Respondent to the Claimant is **£7,136.42**

Employment Judge Burge
Date: 30 January 2024

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 52) and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.