



EMPLOYMENT TRIBUNALS

Claimant: Miss L Marley

Respondents: (1) Premier EA & FS Ltd
(2) Mr Darren Burke
(3) Mr Phillip Green

Heard at: East London Hearing Centre

On: 11 January 2024 (hybrid hearing); 17 January 2024 (in Chambers) and 31 January 2024 (by CVP)

Before: Employment Judge C Lewis
Member: Mrs W Blake-Ranken

Representation

Claimant: In person
Respondents: Ms S Clarke – Counsel on 11 January 2024
Ms R Thomas - Counsel on 31 January 2024

REMEDY JUDGMENT

By its judgment dated 12 October 2023 the Tribunal found that the Respondents discriminated against the Claimant contrary to section 18 of the Equality Act 2010; victimised her contrary to section 27 of the Equality Act 2010; subjected her to detriment contrary to section 47 B of the Employment Rights Act 1996; and unfairly dismissed her contrary to section 94 of the Employment Rights Act and made declarations to that effect.

Following a remedy hearing the Tribunal orders ha the Respondents shall pay the claimant the following sums:

1. Basic award for unfair dismissal

8 weeks x statutory maximum weeks' pay (£544.00) = **£4352.00**

2. Failure to provide written particulars

When the proceedings were begun the respondent was in breach of its duty to provide the claimant with a written statement of changes to her employment particulars. There are no exceptional circumstances that make an award of an amount equal to two weeks' gross pay unjust or inequitable. It is not just and equitable to make an award of an amount equal to four weeks' gross pay.

In accordance with section 38 Employment Act 2002 the respondent shall therefore pay the claimant (£544 x 2) the sum of **£1088.00**

3. Compensation for pregnancy and maternity discrimination, victimisation under the Equality Act 2010 and whistleblowing detriment

3.1 Loss of statutory rights as a result of dismissal

(£544 x 2) **£1088.00**

3.2 Other financial losses to date of hearing on 31 January 2024

(i) Exam costs **£ 540.00**

(ii) Attending to work matters during maternity leave **£ 745.52**

(iii) Loss of earnings:

18 February 2022 to 31 March 2022 **£ 4731.78**

1 March 2022 to 31 December 2022 **£ 5953.51**

1 January 2023 to 31 December 2023 **£ 2083.91**

1 January 2024 to 31 January 2024 **£ 173.66**
£12,942.86

3.3 Total compensation to date of remedy judgment **£15,316.38**

3.4 Future loss of earnings:

1 February 2024 to 30 April 2024 **£ 520.98**

3.5 Total compensation for financial losses **£15,837.36**

4. Injury to feelings

4.1 Injury to feelings as a result of pre-dismissal discrimination/ detriments: **£20,000.00**

4.2 Injury to feelings as a result of dismissal **£10,000.00**

4.3 Total injury to feelings award **£30,000.00**

5. Interest

5.1 Interest on injury to feelings awarded for the period 21 October 2021 to 31 January 2024 (823 days @ ££6.58 per day) = £5,415.34

5.2 Interest on other compensation for discrimination, from the midpoint (412 days @ £3.36 per day) = £1384.32

5.3 Total interest awarded **£6799.66**

6. Total amount for which the Respondents are jointly and severally liable, payable by the Respondents to the Claimant forthwith:

6.1 Basic award	£ 4,352.00
6.2 Failure to provide written particulars	£ 1,088.00
6.3 Compensation for financial losses	£15,837.36
6.4 Injury to feelings award	£30,000.00
6.5 Interest	£ 6,799.66
6.6 Grand total	<u>£58,077.02</u>

**Employment Judge C Lewis
Dated: 31 January 2024**