



EMPLOYMENT TRIBUNALS

Claimant: Mrs A Matthews

Respondents: Let Us Care 4U Limited (In Creditors Voluntary Liquidation) (First Respondent) and Mr M A Iftikhar (Second Respondent)

Heard at: Midlands West Employment Tribunal (By Cloud Video Platform)

On: 22 May 2023

Before: Employment Judge Platt, Mrs S Ray and Ms J Beards

Representation

Claimant: Mr Byrne, solicitor

Respondents: Did not attend

JUDGMENT

The Claimant's complaint of direct sex discrimination under section 13 of the Equality Act 2010 is well-founded and succeeds against the First and Second Respondents.

The Claimant's complaints in relation to six days unpaid holiday under the Working Time Regulations 1998, for breach of contract in respect of one-months' notice pay and for unauthorised deductions of wages for the period 1 – 9 October 2020 are well-founded and succeed against the First Respondent.

The Claimant's complaint of harassment related to sex under section 26 of the Equality Act 2010 against the First and Second Respondents is dismissed.

The Claimant's complaint in respect of detriment under section 47B of the Employment Rights Act 1996 against the First and Second Respondents is dismissed.

The Claimant's complaint of automatically unfair dismissal under section 103A of the Employment Rights Act 1996 against the First Respondent is dismissed.

The Claimant's complaint in respect of unauthorised deductions of wages in relation to all night sleep pay against the First Respondent is dismissed upon withdrawal by the Claimant.

The Claimant's complaint of direct race discrimination or harassment under section 13 or section 26 of the Equality Act 2010 against the First and Second Respondents is dismissed upon withdrawal by the Claimant.

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The Claimant's complaint of direct religious discrimination or harassment under section 13 or section 26 of the Equality Act 2010 against the First and Second Respondents is dismissed upon withdrawal by the Claimant.

The First and Second Respondent are jointly and severally liable to the Claimant and are ordered to pay the Claimant a sum of £4,500 for injury to feelings in respect of the complaint of direct sex discrimination.

The First Respondent is ordered to pay the Claimant the following sums:

1. Six days unpaid holiday pay (calculated as a net sum) = £743.16
2. Seven days wages for the period 1 – 9 October 2020 (calculated as a net sum) = £867.02
3. One months' notice pay (calculated as a net sum) = £2,683.63
4. Failure to provide written statement of particulars (four weeks' pay at a rate of £538 per week) = £2,152.00

Employment Judge Platt
31 May 2023