



EMPLOYMENT TRIBUNALS

Claimant: Mrs M Teixeira de Sá

Respondent: Orbis Acquisition Limited

Heard at: Liverpool **On:** 26 February 2021

Before: Employment Judge Horne

Representatives

For the claimant: In person

For the respondent: Did not appear; not represented; participation restricted under rule 21 Employment Tribunal Rules of Procedure 2013

JUDGMENT

1. The respondent made an unauthorised deduction from the claimant's wages and is ordered to pay her the gross sum of £194.33.
2. The respondent made an unauthorised deduction from the claimant's holiday pay and is ordered to pay her the gross sum of £77.28.
3. The respondent discriminated against the claimant because of her national origin and is ordered to pay her damages of £1,000.00 together with interest of £80.00.
4. The respondent did not discriminate against the claimant because of sex.
5. The claimant had insufficient continuous employment to acquire a statutory minimum notice period, so her claim for damages for breach of contract (wrongful dismissal) fails.
6. The total amount payable under this judgment is £1,351.61.

Employment Judge Horne
26 February 2021

SENT TO THE PARTIES ON
1 March 2021

FOR THE TRIBUNAL OFFICE

Note:

- (1) The claimant may be liable to pay tax and national insurance on the amounts awarded under paragraphs 1 and 2.
- (2) Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the judgment being sent to the parties. If written reasons are provided, they will be entered onto the tribunal's online register, which is visible to internet searches.
- (3) The "Code V" in the heading to this judgment indicates that the hearing took place on a remote video platform. Neither party objected to the format of the hearing.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: 2408127/20
Mrs M Teixeira de Sá v Orbis Acquisition Limited

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 1 March 2021

"the calculation day" is: 2 March 2021

"the stipulated rate of interest" is: **8%**

MR S ARTINGSTALL
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at

www.gov.uk/government/collections/employment-tribunal-forms

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.