



EMPLOYMENT TRIBUNALS

Claimant: Miss P Turns

Respondent: Green Room Design Ltd
(In Voluntary Liquidation)

Heard at: Midlands West Employment Tribunal

On: 11 September 2024

Before: Employment Judge Noons
Mrs Ray
Ms Russel

Representation

Claimant: in person
Respondent: did not attend

JUDGMENT

It is the unanimous decision of the Employment Tribunal that:

1. The Claimant claim of automatically unfair dismissal is well founded and succeeds.
2. The Claimant claim of discrimination on grounds of her pregnancy is well founded and succeeds.
3. A schedule is attached detailed the calculations for the amount awarded to the claimant. In summary we award the claimant **£23,000** injury to feelings, **£18,367.60** for loss of earnings and other benefits, **£396.72** additional expenses incurred by the claimant because of the respondent's act of discrimination. We also award the sum of **£4655.92** interest. These figures are the net sums owed to the claimant and to the extent that any statutory contributions are required to be made the respondent is liable to make these contributions as well as the sums above.
4. It should be noted that the award is subject to the recoupment provisions. The monetary element of the award is £18367.60. The amount of the

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prescribed element is £1001. The prescribed element is attributable to the period 2 December 2022 to 19 May 2023. The monetary element exceeds the prescribed element by £17,366.60.

Employment Judge Noons

Date 11 September 2024

Compensatory award – there is no basic award.

Net earnings per week = £561.69
Employer pension contributions = £22.50
Family Health care cover = £11.83
Total loss per week = £596.02

2/12/22 to
19/5/23 = 24 weeks
24 x £596.02 = £14,304.48

Less

Actual earnings
= £1897.01
Total loss of earnings to start of ML = £12,407.47

Loss during maternity leave
6 weeks x £561.69 x 90% = £3033.13
33 weeks SMP = £5691.84
Pension

52 weeks x £22.50	=£1,170	
Holiday pay		
FTE is 32 days. 32/5 x 3 = 19.2 days holiday pay		
19.2 x £187.23 = £3594.82		
Private medical = £461.34 (from claimant's figures)		
Total entitlement during ML		= £13,951.13
<i>Less actual earnings and Maternity Allowance</i>		
Earnings = £1264		
MA = £6727		
Total loss during ML		= <u>£5960.13</u>
Total loss up to date of liquidation of company		= <u>£18,367.60</u>
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Injury to Feelings		
Middle of middle band of vento		=<u>£23,000</u>
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Additional losses incurred due to discrimination		
Mileage for dropping children off whilst looking for work or attending job centre.		
11.6 miles for 76 days @ 0.45 a mile		=<u>£396.72</u>
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Interest @ 8 %		
On injury to feelings=		
£23,000 x 8% /365 = £5.04 per day		
656 days from 25 November 22 until 11 September 24		
656 x £5.04 = £3,306.95		
On all other elements		
£18,367.60 x 8% / 365 = £4.11 per day		
Mid point is 328 days		
328 x £4.11 = £ 1,348.97		
Total interest		=<u>£4655.92</u>
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Recoupment		
£18367.60 monetary award		
Prescribed element £1001		
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No future loss of earnings to be awarded as the company went into liquidation on 14 May 2024.