



EMPLOYMENT TRIBUNALS

Claimant: Miss J Cieszko

Respondent: Crediton Confectionary Limited (In Administration)

Heard at: Exeter **On:** 23 February 2017

Before: Employment Judge Matthews

Representation:

Claimant: In Person

Respondent: Did not attend and was not represented

JUDGMENT

1. Miss Cieszko was discriminated against by the Respondent by being treated unfavourably because of a pregnancy of hers by reference to section 18 of the Equality Act 2010 (the "EA").
2. Miss Cieszko was unfairly dismissed by the Respondent because the reason, or the principal reason, for her dismissal was her pregnancy by reference to section 99 of the Employment Rights Act 1996.
3. Miss Cieszko's claim against the Respondent, that because of her pregnancy she was less favourably treated by the Respondent by reference to section 13 of the EA, is dismissed.
4. Miss Cieszko's claims against the Respondent, that she was harassed by reference to section 26 of the EA because of unwanted conduct related to her nationality and sex, succeed.
5. Miss Cieszko's claim against the Respondent, that she was victimised by reference to section 27 of the EA, succeeds.
6. The Respondent is ordered to pay to Miss Cieszko compensation totalling £29,037.37. This is comprised of:

- £9,549.75 (5 months net wages at £1,909.95 a month)
- £538.46 (a basic award calculated at 1 week's gross wage of £538.46)
- £2,070 (loss of statutory maternity pay)
- £15,000 (compensation for injury to feelings)
- £1,879.16 (Interest – see note below)

7. The Respondent is ordered to pay to Miss Cieszko costs in the sum of £1,200.

(Note: Interest is calculated as follows-

$£15,000 \times 412/365 \times 8\% = £1,354.52$

$£11,619.75 \times 206/365 \times 8\% = £524.64$)

23 February 2017
Employment Judge Matthews

JUDGMENT SENT TO THE PARTIES ON

8 March 2017

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FOR THE TRIBUNAL OFFICE