



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mrs Marzena Nykiel

V

Mona Hotels Limited

FINAL HEARING

Heard at: Birmingham

On: 28,29,30 September & 1 October 2020

Before: Employment Judge Dean

Members: Ms R Addison

Mr N Howard

Appearance:

For the Claimant: in person

For the Respondent: Mr P Borowski, director

JUDGMENT

The Judgment of the Tribunal is that:

1. The respondent made unlawful deductions from the claimant's pay in breach of s13 of the Employment Rights Act 1996. The respondent is ordered to pay to the claimant the sum of £744.00 gross.
2. The respondent failed to pay to the claimant her full entitlement to accrued and untaken holiday for the holiday year 1 March 2019 to 29 December 2019 in breach of Reg 13 of the Working Time Regulations 1998. The respondent is ordered to pay to the claimant the outstanding sum of £527.65 gross.
3. The respondent during the protected period treated the claimant unfavourably in relation to her pregnancy in breach of s18 of the Equality Act 2010. The respondent is ordered to pay to the claimant compensation in respect of injury to feelings in the sum of £7000.

4. The claimants 'normal weekly earnings' for the purposes of calculating Statutory Maternity Pay for the purposes of Reg 20(2) of the Statutory Maternity Pay Regulations 1986 is £240.00.

Employment Judge Dean

Date 1 October 2020

Note - Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.