



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss B Janes

**Respondent:** Mr J Visockis trading as Ford Road Dental Surgery

**Heard at:** East London Hearing Centre

**On:** 1, 2 & 3 August 2018

**Before:** Employment Judge Foxwell

**Members:** Mrs S Jeary  
Ms M Long

## Representation

**Claimant:** Ms N Joffe (Counsel)

**Respondent:** In person

## JUDGMENT

It is the unanimous judgment of the Tribunal that:

1. The Claimant was dismissed by reason of redundancy.
2. The Claimant was unfairly dismissed and, had a fair procedure been adopted, the Claimant would not have been dismissed.
3. The Respondent subjected the Claimant to unlawful discrimination because of her part-time status contrary to regulation 5 of the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000.
4. The Respondent subjected the Claimant to unlawful indirect sex discrimination contrary to sections 19 and 39 of the Equality Act 2010.
5. The Tribunal does not make a basic award for unfair dismissal pursuant to section 122(4) of the Employment Rights Act 1996.
6. The Respondent shall pay to the Claimant a compensatory award for unfair dismissal of **£1,091.45**, calculated as follows:

- a. Loss of earnings - £741.45
  - b. Loss of statutory rights - £350
7. The recoupment provisions apply to this compensatory award as follows:
- a. The monetary award is £7,589.91
  - b. The amount of the prescribed element is £741.45
  - c. The dates of the period to which the prescribed element relates are 11 August 2017 to 17 September 2017
  - d. The amount by which the monetary award exceeds the prescribed element is £6,848.46
8. The Tribunal makes no separate award under the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000.
9. The Respondent shall pay the Claimant compensation of £6,000 for injury to feelings for unlawful indirect sex discrimination plus statutory interest of £498.46.
10. The total of the Tribunal's awards is **£7,589.91**.

Employment Judge Foxwell

3 August 2018