



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs M Watkowska

**Respondents:** (1) Namco Tooling Limited  
(2) Mr Graham Cooke

**Heard at:** Midlands West

**On:** 27, 28, 29 and 30 March 2023

**Before:** Employment Judge Faulkner  
Mrs R Forrest  
Mr T Liburd

**Representation:** **Claimant** - in person  
**Respondents** - Second Respondent (in person)  
- Mr S Brown/Mr J Cooke (lay representatives)

## JUDGMENT

1. The Respondents did not contravene sections 39 or 40 of the Equality Act 2010 by discriminating against or harassing the Claimant as follows:

1.1. The Second Respondent issuing work instructions to the Claimant on 23 March 2021.

1.2. The Second Respondent shouting at the Claimant on 23 March 2021.

The Claimant's complaints in these respects fail and are dismissed.

2. The Second Respondent contravened section 40 of the Equality Act 2010 in that he harassed the Claimant (related to sex) on 23 March 2021 by calling her a "slave".

3. The Second Respondent further contravened section 40 of the Equality Act 2010 in that he sexually harassed the Claimant by putting his hand into the breast pocket of her overalls and grabbing her breast. The Claimant's complaint of sexual harassment was brought within such further period after expiry of the statutory time limit as the Tribunal thinks just and equitable.

4. In relation to the matters at paragraphs 2 and 3 above, the Respondents did not contravene sections 39 or 40 of the Equality Act 2010 by discriminating

against or harassing the Claimant related to or because of race. The Claimant's complaints in these respects fail and are dismissed.

5. The First Respondent is vicariously liable for the actions of the Second Respondent at paragraphs 2 and 3 above.

6. By consent, the Respondents or either of them shall pay to the Claimant on or before 13 April 2023 by direct payment into a bank account nominated by her:

6.1. The sum of £14,061.73 (less such deductions as the Respondents are required to make by law) as compensation for loss of earnings to the date of termination of the Claimant's employment with the First Respondent.

6.2. The further sum of £10,938.27 (without any deduction) as compensation for injury to feelings.

7. The Respondents shall be jointly and severally liable for the payments set out at paragraph 6 above.

Employment Judge Faulkner  
Date: 30 March 2023

Notes

1. 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.

2. All judgments and written reasons for the judgments (if provided) are published, in full, online at [www.gov.uk/employment-Tribunal-decisions](http://www.gov.uk/employment-Tribunal-decisions) shortly after a copy has been sent to the parties in a case.