



EMPLOYMENT TRIBUNALS

Claimant: Mrs G Jeremejeva

Respondent: Fiza Foods Ltd

Heard at: Manchester Employment Tribunal (by video)

On: 3 March 2023

Before: Employment Judge Dunlop
Ms CS Jammeh
Ms C Gallagher

Representation

Claimant: In person

Respondent: Mr Hussein Ayyub (Advisor)

JUDGMENT

1. The claimant was unfairly dismissed under s.99(1) Employment Rights Act.
2. By dismissing the claimant, the respondent unlawfully discriminated against her on grounds of her pregnancy, under s.18 and s.39(2)(c) Equality Act 2010.
3. The claimant is awarded financial losses for loss of earnings between the date of dismissal and 31 January 2022, when the Tribunal finds she would have been dismissed in any event. Taking account of sums already paid to the claimant, the parties agree that the sum to be awarded for financial loss is £1,710.00.
4. The claimant is awarded £10,000.00 as damages for injury to feelings.
5. The Tribunal awards interest on the award, calculated as follows:

Interest for injury to feelings award calculated from 1 December 2021 to 3 March 2023, a period of one year and 92 days. Applying the statutory rate of 8%.

$$£10,000 \times 8\% \times 1(92/365) = £1,001.64$$

Interest for loss of earnings award made from 1 January 2022 (mid-point of termination of employment and 31 January 2022, when loss of earnings ceased) to 3 March 2023, a period of 1 year and 61 days.

$$£1,710.00 \times 8\% \times 1(61/365) = £159.66$$

Total interest = £1,161.30

6. The claimant is not entitled to a basic award for unfair dismissal due to her length of service. We made no compensatory award for unfair dismissal as the claimant's recoverable losses have been fully accounted for in the award made above in respect of her discrimination claim.
7. The respondent breached the claimant's contract by failing to give her one week's notice of dismissal, but the Tribunal finds that the claimant was paid in respect of the period of notice she was entitled to be given and awards no damages in respect of that breach of contract.
8. The total sum that the respondent is ordered to pay to the claimant is therefore **£12,871.30**.

Employment Judge Dunlop
Date: 3 March 2023

SENT TO THE PARTIES ON

7 March 2023

FOR EMPLOYMENT TRIBUNALS

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunals

tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2400349/2022**

Name of case: **Mrs G Jeremejeva** v **Fiza Foods Ltd**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day, the calculation day, and the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 7 March 2023

the calculation day in this case is: 8 March 2023

the stipulated rate of interest is: **8% per annum**.

Mr S Artingstall
For the Employment Tribunal Office

GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:
www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.