



EMPLOYMENT TRIBUNALS

Claimant: Mrs M A R Valverde

Respondents: (1) Ecocleen Services (Operations) Limited
(2) Mr M Jellal

Heard at: East London Hearing Centre (By CVP)

On: 5, 6, 11 and 19 April 2023

Before: Employment Judge B Beyzade

Members: Ms T Jansen
Mr L O'Callaghan

Representation

For the Claimant: Mr K Pal (Trade union representative)
For the Respondent: Mr J Munro (Solicitor)

JUDGMENT

The judgment of the tribunal is:

1. The complaint of pregnancy discrimination pursuant to section 18 of the Equality Act 2010 in respect of issues 1b iv to viii of the list of issues is well founded and it succeeds. The remainder of the Claimant's claim under section 18 of the Equality Act 2010 is dismissed.
2. The complaint of victimisation pursuant to s 27 of the Equality Act 2010 in respect of issues 2b ii. to v. of the list of issues is well founded and succeeds. The remainder of the Claimant's victimisation claim is dismissed.
3. The Tribunal finds and declares that the Respondents unlawfully discriminated against the Claimant contrary to section 39 of the Equality Act 2010 and her complaint of discrimination contrary to section 18 of the Equality Act 2010 in respect of issues 1b iv to viii of the list of issues succeeds.
4. The Tribunal finds and declares that the Respondents unlawfully victimised the Claimant contrary to section 39 of the Equality Act 2010

and her complaint of victimisation contrary to section 27 of the Equality Act 2010 in respect of issues 2b ii. to v. of the list of issues succeeds.

5. In respect of injury to the Claimant's feelings, the Tribunal orders that the Respondents (on a joint and several basis) shall pay to the Claimant an amount of £10,500.00 for her injury to feelings.
6. Under section 207A of the *Trade Union and Labour Relations (Consolidation) Act 1992* the Tribunal adjusts the award made to the Claimant by increasing it by £1575.00 (on a joint and several basis) being a 15 percent uplift to the award for breaches by the Respondents in terms of their failure to follow the *ACAS Code of Practice on Disciplinary and Grievance Procedures*.
7. In terms of the *Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996*, it is further ordered that the Respondents shall pay to the Claimant the additional sum of £1717.63 (on a joint and several basis) representing the total of interest on the award of £12075.00 (comprising an injury to feelings award of £10,500.00 and ACAS Uplift of £1575.00) calculated at the appropriate rate of interest of 8 percent each year for the period between 09 July 2021, the date of the discrimination, and 19 April 2023 being the date of this Judgment.

Employment Judge B Beyzade
Dated: 19 April 2023