



EMPLOYMENT TRIBUNALS

Claimant: Mrs B Davies (1)
Mrs HS Vijayashankar (2)

Respondent: Arthur & Associates Ltd

Heard at: Cardiff **On:** 20 June 2019

Before: Employment Judge RL Brace

Representation:

Claimant: Mrs de Bono (1)
Mrs Vijayashankar (in person) (2)
Respondent: Mr M Arthur (Director of respondent)

JUDGMENT

Mrs Davies – 1600718/2018 (“First Claimant”)

1. The First Claimant’s breach of contract claim is well founded and the First Claimant is awarded damages in the sum of 4 weeks’ net pay. This amount has been paid by the respondent and no further amounts are ordered to be paid by the respondent.
2. The claimant’s claim of unfair dismissal is well founded and the First Claimant is awarded the sum of £326.51 as follows:
 - a. £244.88 (Basic Award); and
 - b. £81.63 (Compensatory Award)
3. It is therefore ordered that the Respondent shall pay to the First Claimant the sum of £326.51 in compensation.

Mrs HS Vijayashankar – 1600726/2018 (“Second Claimant”)

1. The tribunal has no jurisdiction to consider the claimant’s unfair dismissal claim and/or claim for a statutory redundancy payment which are struck out.
2. The Second Claimant’s breach of contract claim is well founded and the Second Claimant is awarded damages as follows:
 - a. the sum of 4 weeks’ net pay. This amount has been paid by the respondent and no further amounts are ordered to be paid by the respondent; together with
 - b. an amount in respect of the difference between Statutory Maternity Pay (at the ‘earnings-related rate’ i.e. 90% of the Second Claimant’s ‘normal weekly earnings’) and the Maternity Allowance that the Second Claimant did receive over the initial 6 week period of payment.
3. The Second Claimant is to provide to the tribunal and to the Respondent by 4pm on Thursday 28 June 2019 her schedule of loss in respect of her damages setting out her calculation of the difference between Statutory Maternity Pay (at the ‘earnings related rate’ i.e. 90% of the Second Claimant’s ‘normal week earnings’) and the Maternity Allowance that the Second Respondent did receive over the initial 6 week period of payment.

Employment Judge RL Brace
Dated: 20 June 2019

JUDGMENT SENT TO THE PARTIES ON

.....23 June 2019.....

.....
FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS

NOTE:

This is a written record of the Tribunal’s decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal’s Rules of Procedure 2013.