



EMPLOYMENT TRIBUNALS

Claimant: Miss Paulina Bawej

Respondents:

1. Huangs Catering Limited
2. Yingshang Huang
3. Janice Kim

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claim was issued in the London East Employment Tribunals on 3rd June 2024. The respondents have failed to present a valid response on time. The Employment Judge has decided that a determination can properly be made of the claim, in accordance with Rule 21 of the Rules of Procedure.

2. In the Judgment in case number 3313273/2019 Huangs Grill Limited was found to have discriminated against the Claimant on grounds of her pregnancy and in the Reasons in that case, Yingshang Huang was found to have personally committed acts of pregnancy discrimination, namely to have made up a redundancy story to cover up his deliberate poor treatment of the Claimant, his pregnant employee. Parties agreed settlement of that claim in the sum of £35,492.31 which was due to be paid to the Claimant on or before 4th August 2023. Despite the Claimant's attempts to enforce this judgment in the civil courts that amount remains outstanding in full, as Huangs Grill Limited's latest filed accounts record a net liability of £807,124.

3. The only Respondent in case number 3313273/2019 was Huangs Grill Limited. Subsequently the Claimant learnt an individual person can be liable for acts of discrimination. The Claimant commenced this claim (6003232/2024) in an attempt to hold Yingshang Huang, director of Huangs Grill Limited, personally liable for the pregnancy discrimination attributed to him in claim 3313273/2019. Despite the time that has elapsed since the act of discrimination, I am satisfied the tribunal has jurisdiction to consider this claim, as section 123(1) Equality Act 2010 provides a discrimination claim may be brought within "such other period as the employment tribunal thinks just and equitable".

5. I am satisfied the Second Respondent, Yingshang Huang, has discriminated against the Claimant on grounds of her pregnancy and must pay the claimant **£35,492.31**.

6. The claims against the First Respondent and Third Respondent are dismissed.

**Employment Judge Howden-Evans
16th September 2024**