



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 4100199/2023

Hearing held by video in Glasgow at 1130 on 14 March 2023

Employment Judge M Whitcombe

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Ms Angela McRobert

Claimant
Represented by:
Mr R Dorrian
(Solicitor)

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Amisam Limited

Respondent
No response
Did not attend

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JUDGMENT

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The respondent having failed to file a response or appear, the claims for unfair constructive dismissal, subjection to a detriment for having made a protected disclosure, harassment related to race and unlawful deductions from wages all succeed. The Tribunal awards compensation as follows.

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Unfair dismissal

- (1) A basic award of **£1,306.68** (calculated as 4 weeks' gross pay at the rate of £326.67, section 97(4) of the Employment Rights Act 1996 applies).

(2) A compensatory award of **£3,899.80** (calculated as 11 weeks and 4 days of net losses at the rate of £293.81, plus £500 for loss of statutory rights).

5 (3) The Employment Protection (Recoupment of Benefits) Regulations 1996 apply. The monetary award is £5,206.48, the prescribed element is £3,399.80, the prescribed element is attributable to the period from 15 September 2022 until 5 December 2022 and the monetary award exceeds the prescribed element by £1,806.68.

10 *Subjection to a detriment because of a protected disclosure*

(4) Compensation for injury to feelings of **£6,500**.

Harassment related to race

15 (5) Compensation for injury to feelings of **£1,039.45**, including interest at 8%.

Unlawful deductions from wages

20 (6) The sum of **£1,279.59** (gross), including the payment due upon termination in respect of untaken entitlement to paid annual leave.

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30 **Employment Judge: M Whitcombe**
Date of Judgment: 14 March 2023
Entered in register: 20 March 2023
and copied to parties