



EMPLOYMENT TRIBUNALS

Claimant: Miss R Daglan

Respondents: (1) Nowtemp Group Ltd
(2) Mr Dave Barber

Heard at: Leeds **On:** 7 July 2017

Before: Employment Judge Maidment

Representation

Claimant: Mr CP Styles, Counsel

Respondents: Did not attend and no appearance entered

AT A PRELIMINARY HEARING

JUDGMENT

The time for presenting a response having expired and no response having been presented and on the available material before the Employment Judge, including after hearing evidence from the Claimant, it is adjudged that :-

1. The complaint of unfair dismissal pursuant to Section 57A of the Employment Rights Act 1996 is declared to be well founded and the First Respondent is ordered to pay to the Claimant forthwith the sum of £5,895 as a compensatory award such sum having been uplifted by 25% to reflect the First Respondent's unreasonable failure to comply with the ACAS Code of Practice on Disciplinary Procedures.

2. The Claimant's complaint of sexual harassment is declared to be well founded and the First and Second Respondent are ordered to pay to the Claimant the sum of £10,000 as compensation for injury to feelings together with an additional sum of £466.66 in respect of interest thereon.

3. In accordance with the provisions of Section 13 of the Employment Rights Act 1996 the complaint of unauthorised deduction from wages succeeds and in accordance with Section 24 of the Act the First Respondent is ordered to pay to the Claimant forthwith the amounts so deducted being the gross sum

of £700 in respect of unpaid commission and the gross sum of £676.88 in respect of unpaid wages.

4. In accordance with the provisions of the Employment Tribunals Extension of Jurisdiction (England & Wales) Order 1994 the complaint for the recovery of damages for breach of contract succeeds and the First Respondent is ordered to pay to the Claimant forthwith damages in the sum of £1,833.33.

5. In accordance with the provisions of Regulations 13, 14 and 30 of the Working Time Regulations 1998 the complaint in respect of the Claimant's entitlement to payment for leave taken or in lieu of accrued but untaken leave succeeds and the First Respondent is ordered to pay to the Claimant forthwith the gross sum of £185.29.

6. Pursuant to Rule 76(4) a Costs Order is made. The First and Second Respondent will reimburse to the Claimant the issue fee of £250 incurred by the Claimant in respect of this claim

Employment Judge Maidment

Date: 7 July 2017