



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss N Parker

**Respondent:** Gainz Kitchen Ltd

## JUDGMENT

- 1) The complaint that the claimant was unfairly dismissed is struck out.
- 2) The complaint that the respondent failed to pay the claimant notice pay is well-founded and the respondent is ordered to pay the claimant damages for breach of contract in the sum of £120 net.

## REASONS

1. The claimant complains of unfair dismissal and breach of contract/failure to pay notice pay or pay in lieu of notice.
2. Section 108 of the Employment Rights Act 1996 requires a claimant to have not less than two years service to make an unfair dismissal complaint.
3. The claimant was employed by the respondent for less than two years.
4. Therefore the claimant is not entitled to bring such a complaint.
5. The claimant has failed to give an acceptable reason, despite being given the opportunity to do so, why the complaint should not be struck out.
6. Accordingly, the complaint of unfair dismissal is struck out.
7. The respondent failed to present a response to the claimant's other claim. Pursuant to Rule 21 of the Employment Tribunals Rules of Procedure 2013, the respondent is to pay her damages for breach of contract in the sum of £120 net.

Regional Employment Judge Parkin

Date: 17 October 2017

JUDGMENT SENT TO THE PARTIES ON

19 October 2017

FOR THE TRIBUNAL OFFICE



Case No: 2404988/2017

## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2404988/2017

Name of case(s): Miss N Parker v Gainz Kitchen Limited

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 19 October 2017

"the calculation day" is: **20 October 2017**

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office