



EMPLOYMENT TRIBUNALS

Claimant: Ms GN Martinez

Respondent: Robert Newmark Restaurants t/as Beach Blanket Babylon
Robert Newmark Restaurants Ltd t/as Beach Blanket Babylon

THE TIME for presenting a response having expired and no valid response having been presented, and on the basis of the information before the Employment Judge

JUDGMENT

1. The claims of failure to pay holiday accrued but not taken on termination and of breach of contract by failure to pay notice pay are withdrawn.
2. The claims for
 - (i) constructive and unfair dismissal for asserting a statutory right succeeds
 - (ii) for Unlawful deduction of wages from December 2016 to 27 May 2017 succeeds.
3. The respondent is ordered to pay to the claimant the following sums:
 - a. A basic award for automatically unfair dismissal of £265.36
 - b. The Claimant earned a total of £5,528.71 gross. She was paid a total of £2,432.70. The Respondent is ordered to pay to the Claimant the outstanding balance due of £3096.21.

Employment Judge Gilbert

5 December 2017