



# THE EMPLOYMENT TRIBUNALS

BETWEEN

*Claimant*

*Respondent*

Mrs M Lesniak

AND

International Education Limited  
(t/a Newcastle International  
School of English)

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Held at: North Shields

On: 10 November 2017

Before: Employment Judge Johnson (sitting alone)

### *Appearances*

For the Claimant: Mr R Owen (Citizens Advice Bureau)

For the Respondent: No attendance/no appearance

## JUDGMENT ON REMEDY

- 1 The respondent is ordered to pay to the claimant a redundancy payment in the sum of £3,667.50.
- 2 The respondent is ordered to pay to the claimant compensation for breach of contract (failure to pay notice pay) in the sum of £2,792.86.
- 3 The respondent is ordered to pay to the claimant wages unlawfully deducted in the sum of £398.98.
- 4 The respondent is ordered to pay to the claimant accrued holiday pay in the sum of £587.51.
- 5 The respondent is ordered to pay to the claimant a compensatory award for unfair dismissal in the sum of £1,995.92.

## REASONS

- 1 This matter came before me this morning pursuant to a default judgment on liability issued by Employment Judge Shepherd and promulgated on 10 October 2017. The respondent failed to enter a response to the claimant's claims.
- 2 The claimant appeared today in person and was represented by Mr Owen of the local Citizens Advice Bureau. Again there was no attendance or appearance by or on behalf of the respondent.
- 3 The claimant gave evidence under oath. She confirmed that her employment with the respondent began on 22 July 2009 and ended with her dismissal on 6 April 2017. At the effective date of termination of her employment the claimant was earning £2,154.18 per month gross pay and £1,715.55 per month net pay. The claimant obtained alternative employment on 26 June 2017 at a salary higher than that which she enjoyed with the respondent.
- 4 The claimant was born on 1 May 1975. She had seven years continuous service with the respondent. She was entitled to a redundancy payment based upon her age and length of service in the sum of £3,667.50. The claimant is entitled to seven weeks pay in lieu of notice in the sum of £2,792.86. The claimant did not receive her wages for her last week's pay and is therefore owed £398.98. At the time of her dismissal the claimant had accrued holiday pay of £587.51.
- 5 I am satisfied that the claimant was unfairly dismissed and is entitled to a compensatory award based upon her loss of earnings up to the date of obtaining alternative employment in the sum of £1,595.92. I award the claimant a further £400 for the loss of her statutory rights.

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**EMPLOYMENT JUDGE JOHNSON**

**JUDGMENT SIGNED BY EMPLOYMENT  
JUDGE ON  
15 November 2017  
JUDGMENT SENT TO THE PARTIES ON  
15 November 2017  
AND ENTERED IN THE REGISTER  
G Palmer  
FOR THE TRIBUNAL**