



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss C Antiwiwaa-Frimpong  
**Respondent:** Rock Kid Pre School Ltd  
**Heard at:** East London Employment Tribunal  
**On:** 15 February 2018  
**Before:** Employment Judge Gilbert

**Representation**  
Claimant: Mr. O Tazib, counsel  
Respondent: No attendance appearance not entered

## JUDGMENT

- 1. The claims of automatically unfairly dismissed for trade union reasons, unlawful deduction from wages and failure to pay holiday pay accrued but not taken on termination succeed.*
- 2. The Respondent is ordered to pay to the Claimant the following sums:*

**A. Unfair dismissal**

- |      |                                                                                                                    |           |
|------|--------------------------------------------------------------------------------------------------------------------|-----------|
| (i)  | Basic Award of £5,970<br>That is the minimum amount of a basic award for unfair dismissal for trade union reasons; | £5,970    |
| (ii) | Compensatory Award of £8,701.87<br>i. Loss of earnings from dismissal to date                                      | £8,701.87 |
|      | a. 29 weeks at £442.34 = £12,827.86<br>less                                                                        |           |
|      | b. earnings received of £390.03 X 16<br>£6,240.48 = £6,587.38                                                      |           |
| ii.  | Future loss of earnings<br>15 February 2018 to 28 July 2018<br>of £52.31 a week + £1,203.31                        |           |

iii. loss of statutory rights of £221.17

iv. expenses incurred £132.50

**Total Award -Unfair dismissal £14,671.87**

Recoupment does not apply

**B. Unlawful Deductions from wages**

(i) The Respondent failed to pay the Claimant wages due from 15 May to 4 August 2017

11 weeks at ££557.69 gross (£6,134.59)

£442.34 net (£4,865)

£4,865

**C. Unpaid holiday pay**

(i) The Claimant had accrued 5.8days (rounded up to 6) at the effective date

of termination. £111.54 X 6 gross =£669.24

£88.47 X 6 net = £530.81

£ 530.81

**That makes a total award to the Claimant from the Respondent of**

**£20,067.69**

**£20,067.69**

Employment Judge Gilbert

15 February 2018