



EMPLOYMENT TRIBUNALS

Claimant: Miss J Robinson

Respondent: 1 The Rating Specialists Ltd
2 Access PR Solutions Ltd

HELD AT: Manchester **ON:** 24 January 2018

BEFORE: Employment Judge Tom Ryan

REPRESENTATION:

Claimant: In person

Respondents: No attendance. Responses not entered.

JUDGMENT

The judgment of the Tribunal is that:

1. The claimant was employed by the 1st respondent.
2. The complaints of unfair dismissal, breach of contract, unauthorised deductions from wages and failure to provide a written statement of particulars of employment are all well-founded.
3. The 1st respondent is ordered to pay compensation to the claimant in respect of those complaints calculated as follows.

Unpaid Wages

4. Shortfall in final week's pay

Net pay due	£478.90	
Amount paid	250.00	
Amount owing		£228.90

5. Unpaid holiday pay

Holiday year 1 January - 31 December

Proportion of holiday year passed
in final year of employment

(including notice period) 41 weeks

Annual holiday entitlement	7 weeks		
Holiday accrued	$7 \times \frac{41}{52} =$	5.5 weeks	
Less holiday taken (2 weeks)	=	3.5 weeks	
Amount owing	$3.5 \times \text{£}478.90 =$		£1,676.15

Unfair dismissal

6. Basic Award	9 weeks at £487.55 gross		£4,387.95
Compensatory Award			
	Loss to date of hearing		
	24.6 weeks x £478.90	11,780.94	
	Less sums earned	<u>1,680.70</u>	
		10,100.24	
	Future loss		
	13 weeks x £328.90	4,275.70	
	Loss of statutory rights	200.00	
	Expenses of seeking alternative work	<u>80.00</u>	
		<u>4,555.70</u>	
			£14,655.94
	Total award for unfair dismissal		£19,043.89

7. The provisions of the Employment Protection (Recoupment of Benefits) Regulations 1996 ("the Recoupment Regulations") do not apply to the award for unfair dismissal.

Failure to provide written statement of particulars of employment

8. 4 weeks pay at £487.55 £1,950.20
9. The tribunal makes no separate award in respect of the complaint of breach contract (for failure to pay notice pay). Compensation in respect of that is comprised within the tribunal's award for unfair dismissal.
10. The 1st respondent is ordered to pay the total amount awarded under this judgment of £22,899.14 to the claimant on or before 8 February 2018.

Employment Judge Tom Ryan

Date 25 January 2018

JUDGMENT SENT TO THE PARTIES ON

6 February 2018

FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: 2421127/2017

Name of case: Miss J Robinson v

1. The Rating Specialists Limited
2. Access PR Solutions 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: 6 February 2018

"the calculation day" is: **7 February 2018**

"the stipulated rate of interest" is: 8%

Mr S Harlow
For the Employment Tribunal Office