

EMPLOYMENT TRIBUNALS



Claimant

Miss D. Meldrum

v

Respondent

Nya Nordiska Textiles Ltd

Heard at: London Central

On: 7 November 2018

Before: Employment Judge Mason

Representation

For the Claimant: In person.

For the Respondent: No attendance or representation

JUDGMENT

The Respondent having failed to (i) lodge a response and (ii) attend the hearing, and having heard the Claimant's evidence, the judgment of the Tribunal is that:

1. The Claimant's claim for a Statutory Redundancy Payment ("SRP") succeeds and the Respondent is ordered to pay the Claimant £978 (calculated in accordance with the statutory formula by reference to her length of service and age).
2. The Claimant's claim of unfair dismissal succeeds, having been dismissed by reason of redundancy with no prior consultation. However, no compensation is awarded as the SRP extinguishes the Basic Award and she has completely mitigated her losses and therefore no Compensatory Award is awarded.
3. Breach of contract:
 - 3.1 The Respondent breached the Claimant's contract of employment by failing to:
 - (i) pay her monies in lieu of four weeks' notice in the sum of £2,700;
 - (ii) reimburse her for "petty cash" expenses in the sum of £301.49; and
 - (iii) reimburse her for expenses relating to the repair and removal of her company car in the sum of £500.00.
 - 3.2 The Respondent is therefore ordered to pay the Claimant the sum of £3,501.49 by way of damages.

4. The Tribunal declares that the Respondent made unlawful deductions from the Claimant's wages contrary to section 13 of the Employment Rights Act 1996 and the Respondent is ordered to pay her £443.83 representing arrears of pay for the period 1 to 9 April 2018.
5. In summary, the Respondent is ordered to pay the Claimant the total sum of £4,923.32.

Employment Judge Mason

7 November 2018

Sent to the parties on:

8 November 2018

For the Tribunal:

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Written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision. Public access to employment tribunal decisions Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment shortly after a copy has been sent to the claimant and respondent in a case.