



EMPLOYMENT TRIBUNALS

Claimant

Mrs K Bowers

v

Respondent

Shanni Charles

PRELIMINARY HEARING

Heard at: Sheffield

On: 17 December 2018

Before: Employment Judge Brain

Representation:

Claimant: Ms S Fretwell, Daughter

Respondent: No attendance or representation

JUDGMENT

UPON the Tribunal being satisfied that the claimant undertook work for the respondent in the capacity of an employee of the respondent between 9 January 2018 and 18 July 2018 and UPON the Tribunal being satisfied from the evidence that the claimant was wrongfully constructively dismissed because of a fundamental breach of the employee's contract of employment (being an anticipatory breach when the claimant was informed the respondent did not intend to pay her wages) the Judgment of the Employment Tribunal is that:

1. The claimant's complaint of breach of contract succeeds. Accordingly the respondent shall pay to the claimant:
 - 1.1. The sum of £381.81 being sums outstanding and contractually due to the claimant in connection with the employment as at 18 July 2018 being:
 - 1.1.1. £138.81 owed to the claimant for the purchase of kitchen equipment and utensils; and
 - 1.1.2. £250 loaned to the respondent by the claimant for utility bills payable at the claimant's place of work.
 - 1.2. The sum of £125.63 by way of damages for constructive wrongful dismissal.
2. The respondent made an unlawful deduction from the claimant's wages. The respondent shall pay to the claimant the sum of £1,927.49 being the gross sum due.
3. The claimant is entitled to compensation for holidays accrued but untaken as at 18 July 2018. The respondent shall pay to the claimant the sum of £362.63 being the gross sum due.

4. The total amount payable from the respondent to the claimant is £2,804.56 which sum shall be paid within 14 days of the date recorded below.

Employment Judge Brain

21st December 2018

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.