



EMPLOYMENT TRIBUNALS

Claimants:

- (1) Judyta Marzec,
- (2) Edyta Sabat,
- (3) Tomasz Dziedzic

Respondent: SH Pratt Group Ltd

Heard at: Watford Employment Tribunal (in private)

On: 6 December 2018

Before: Employment Judge Daniels (sitting alone)

Appearances:

For the claimant: Mr Kozik

For the respondent: Did not appear (no response entered)

JUDGMENT

- 1 The claimants were dismissed by the respondent on 7 March 2018 as a result of a fundamental breach of the express and/or implied terms of employment.
- 2 The claimants were dismissed in breach of contract (failure to be paid notice pay).
- 3 The claimants were unfairly dismissed in breach of s98 of the Employment Rights Act 1996.

REMEDY

First Claimant (Judyta Marzec)

- 1 The basic award for unfair dismissal is £3911.20.
- 2 The award for breach of contract in respect of failure to pay notice pay (prior to deductions to be made by the respondent at source for tax and NI) is £3911.20. 3
The compensatory award for unfair dismissal is as follows;
 - 3.1 Loss of statutory rights; £350
 - 3.2 Loss of earnings 16 May 2018 to 29 October 2018 £7675.68
 - 3.3 Loss from 29 October 2018 to 6 December 2018 £449.10
 - 3.4 Future loss of earnings: (12 weeks): £1077.84

The total compensatory award for unfair dismissal (to be made without deductions) is £9552.62.

- 4 The Recoupment Regulations do not apply.

Second Claimant (Edyta Sabat)

- 1 The basic award for unfair dismissal is £3380.04
- 2 The award for breach of contract in respect of loss of notice pay (prior to deductions to be made by the respondent at source for tax and NI) is £3380.04.
- 3 The compensatory award for unfair dismissal is as follows;
 - 3.1 Loss of statutory rights; £350
 - 3.2 Loss of earnings from 16 May 2018 (the date notice would have expired) to 8 June 2018 (when the claimant managed to mitigate her losses):
£861.74

The total compensatory award (to be paid without deductions) is £1211.74

- 4 The Recoupment Regulations do not apply.

Third Claimant (Tomasz Dziedzic)

- 1 The basic award for unfair dismissal is £3765.20
- 2 The award for breach of contract in respect of loss of notice pay (prior to deductions to be made by the respondent at source for tax and NI) is £3765.20
- 3 The compensatory award for unfair dismissal is as follows;

3.1 Loss of statutory rights; £350

3.2 Loss of earnings from 16 May 2018 to 6 July 2018 (when the claimant managed to mitigate his losses): £449

The total compensatory award (to be paid without deductions) is £799.

4 The Recoupment Regulations do not apply.

Employment Judge Daniels

9 January 2019

Sent to the parties on:

9 January 2019