

EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4104886/2017

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Held at Glasgow on 5 April 2018

Employment Judge: Ms M Robison

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Ms D Slavkova

**Claimant
Represented by
**Mr A Angelov
Friend****

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Dennis O'Keefe

**First Respondent
No appearance**

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Scarabar Limited

**Second Respondent
No appearance**

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

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The judgment of the Employment Tribunal, issued orally with reasons, is that:

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1. The claimant was employed by the first respondent, and therefore the claim against the second respondent is dismissed;
2. The claimant was unfairly constructively dismissed by the first respondent in terms of section 95(1)(c) and section 104 of the Employment Rights Act 1996; and
3. The first respondent shall pay to the claimant the following sums:
 - i. **FIFTY TWO POUNDS AND FIFTY PENCE (£52.50)** in respect of underpayment of the national minimum wage, under section 13 of the Employment Rights Act 1996;
 - ii. **FOUR HUNDRED AND EIGHTY POUNDS (£480)** in respect of arrears of pay, under section 13 of the Employment Rights Act 1996;

- iii. **ONE HUNDRED AND FIFTY ONE POUNDS AND SEVEN PENCE (£151.07)** in respect of unpaid holiday pay, under section 13 of the Employment Rights Act 1996; and
- iv. **TWO HUNDRED AND SEVENTY ONE POUNDS AND SIXTY PENCE (£271.60)** in respect of compensation for unfair dismissal, under section 123 of the Employment Rights Act 1996.

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10 Employment Judge: M Robison
Date of Judgment: 05 April 2018
Entered in Register: 09 April 2018
and copied to parties