



# EMPLOYMENT TRIBUNALS

**Claimant** Miss K Tighe

**Respondent:** Minerva AG Café Limited

**HELD AT:** Sheffield

**ON:** 2 January 2019

**BEFORE:** Employment Judge Brain

## REPRESENTATION:

**Claimant:** In person

**Respondent:** No attendance or representation. Appearance not entered

# JUDGMENT

The Judgment of the Employment Tribunal is that:

1. The claimant was employed by Minerva AG Café Ltd which is substituted as the respondent to the claim in place of Grzegorz Palczynski.
2. The claimant was dismissed by the respondent on 11 August 2018. She was dismissed because of redundancy following the closure of the business in which the claimant was employed by the respondent.
3. The claimant is entitled to a redundancy payment in the sum of £4,228.20. As at the date of termination of her contract she earned the sum of £187.92 per week gross. She had worked for the respondent for 15 complete years. She was 61 years of age as at the effective date of termination.
4. The claimant was entitled to 12 weeks' notice of termination of the contract. The respondent summarily terminated the contract of employment where it had no entitlement so to do. Accordingly, the respondent wrongfully dismissed the claimant. The respondent shall pay to the claimant damages for wrongful dismissal in the sum of £1,039.04 calculated as follows:
  - 4.1. 12 weeks loss of earnings at £187.92 per week - £2,255.04

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|------|---|-----------|
| 4.2. | Less credit for other earnings (being 8 weeks wages during the notional 12 weeks' notice period at £152 per week) - | £1,216.00 |
|      | Damages payable-  | £1,039.04 |
5. The claimant is entitled to compensation for holidays accrued but untaken at the effective date of termination of the contract of employment. The outstanding holiday pay due is in the sum of £133.11.
  6. The respondent shall pay to the claimant the total sum of £5,400.35 within 14 days of the date set out below.

Employment Judge Brain  
Date: 6<sup>th</sup> February 2019