

EMPLOYMENT TRIBUNALS

Claimant

Mrs Nicola Gregory

v

Respondent

Diamantis Lemos Ltd

Heard at: Croydon Employment Tribunal

On: 19 February 2018

Before: Employment Judge Nash

Appearances

For the Claimant:

Mr Blitz of counsel

For the Respondent:

No appearance

JUDGMENT

The Judgment of the Employment Tribunal is as follows:-

1. The Claimant's application to amend her originating application to include a claim for notice pay as breach of contract is granted.
2. The Claimant is redundant.
3. The respondent shall pay to the claimant a statutory redundancy payment in the sum of £8,313, being 17 weeks gross pay capped at £489 by virtue of s227 Employment Rights Act 1996.
4. The respondent made unauthorised deductions from the claimant's wages contrary to s13 Employment Rights Act 1996.
5. The respondent shall pay to the claimant, pursuant to s27 Employment Rights Act 1996, 19 weeks and three days gross wages being £10,870.94.
6. The claimant is entitled to 12 weeks notice pay from the respondent. She was not paid notice pay or any sum in lieu thereof. This amount being included in the award under s13 ERA , no separate award is made.
7. The respondent failed to pay the claimant payment in lieu of leave under regulation 14(2) Working Time Regulations 1998.

8. The claimant was entitled to 5 days accrued but untaken leave under regulation 14(2).
9. The respondent shall pay to the claimant the sum of £554.86 in respect of regulation 14(2). Such sum is awarded gross.
10. The respondent failed to provide the claimant with a written statement of particulars of employment pursuant to s1 Employment Rights Act 1996.
11. The respondent shall pay to the claimant four weeks gross pay as capped pursuant to s38 Employment Act 2002 being £1,956.00.
12. The total to be paid by the respondent to the claimant under this judgment is accordingly £21,694.80.

Employment Judge Nash
19th February 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.