



# EMPLOYMENT TRIBUNALS

**Claimant** Ms G Neale

**Respondent** The Harbour Moon (Looe) Limited

**Heard at:** Exeter

**On:** 9 April 2019

**Before:**  
**Employment Judge** Goraj

## **Representation**

**Claimant:** Mr B R Humphries, CAB

**The Respondent:** response struck out and did not attend

# JUDGMENT

## **The JUDGMENT of the tribunal is that: -**

1. The Claimant was an employee of the Respondent.
2. The Claimant's employment with the Respondent came to an end by reason of redundancy and the Claimant is therefore entitled to a statutory redundancy payment in the sum of £495 (2 x 1.5 x £165 gross weekly salary).
3. The Claimant was dismissed in breach of contract without notice and is therefore entitled to damages of £330 in respect of such breach (2 x £165 net weekly salary) which monies the Respondent is ordered to pay to the Claimant.
4. The Claimant was also unfairly dismissed by the Respondent contrary to section 98 (4) of the Employment Rights Act 1996 and is awarded £165 for loss of statutory rights which monies the Respondent is ordered to pay to the Claimant.
5. The Respondent has also made unlawful deduction of wages in respect of the Claimant's accrued holiday entitlement in the sum of £1,848 (11.2 weeks accrued holiday x £165).

5. The Claimant is also awarded and the Respondent is order to pay to her a further sum of £330 (2 week's gross pay) pursuant to Section 38 of the Employment Act 2002.

6. The total sum which the Claimant is awarded and the Respondent is ordered to pay to her is therefore **£ 3,168** (£495 +£330 +£165+£1,848+£330).

7. The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply in this case.

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Employment Judge Goraj

Date: 16 April 2019

As reasons for the Judgment were announced orally at the Hearing written reasons shall not be provided unless they are requested by a party within 14 days of the sending of this Judgment to the parties.

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