



EMPLOYMENT TRIBUNALS

Claimant: Ms J Wood

Respondent: Mrs S P Markey and Mr P W Markey t/a Flair Hairdressing Salon

Heard at: Liverpool **On:** 15 and 16 April 2019

Before: Employment Judge T Vincent Ryan
Ms H D Price
Mrs J E Williams

REPRESENTATION:

Claimant: Mr M Mensah, Counsel
Respondent: Mr P Maratos, Consultant

JUDGMENT

The unanimous judgment of the Tribunal is that:

1. The respondent failed to provide the claimant with itemised pay statements contrary to section 8 Employment Rights Act 1996, and this claim is well-founded and succeeds. The award payable by the respondent to the claimant is to be confirmed at a remedy hearing.
2. The claimant is a disabled person by reason of varicose veins and cardiac arrhythmia as conceded by the respondent.
3. The following claims are not well-founded, fail and are dismissed:
 - (1) That the claimant was automatically unfairly dismissed for asserting a statutory right. The claimant was dismissed by the respondent on 20 May 2018 for a reason related to conduct;
 - (2) That the respondent treated the claimant unfavourably because of something arising in consequence of her disability (section 15 Equality Act 2010), namely by dismissing her and by dismissing her without following fair procedure in accordance with good industrial relations practice;
 - (3) That the respondent made unauthorised deductions from the claimant's wages;

(4) That the respondent failed to pay holiday pay due to the claimant.

4. It is declared that the respondent failed to provide the claimant with a statement of initial employment particulars in accordance with section 1 Employment Rights Act 1996. No award is payable in view of the Judgment above and the effects of section 38 and schedule 5 Employment Act 2002.

Employment Judge T Vincent Ryan

Date: 17.04.19

JUDGMENT SENT TO THE PARTIES ON

26 April 2019

FOR THE TRIBUNAL OFFICE

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 (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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