



THE EMPLOYMENT TRIBUNALS

Claimant
Ms M Lockey

Respondent
Mr Jake Dodd t/a Alex Edward Salon

EMPLOYMENT JUDGE GARNON
MADE AT NORTH SHIELDS
EMPLOYMENT JUDGE GARNON

ON 5th July 2018

JUDGMENT (Liability Only)
Employment Tribunals Rules of Procedure 2013 –Rule 21

- 1 The claims of unfair dismissal, wrongful dismissal (breach of contract) and unlawful deduction of wages are well founded
2. An increase in the awards under s 38 of the Employment Act 2002 (the 2002 Act) of two or four weeks pay will be awarded.
- 3 The one day Hearing listed for 21st September 2018 is cancelled . The claim will be listed for a 2 hour hearing to determine remedy on the first available date**

REASONS

1. The claim was served on 1st June 2018 upon the last known business address of the respondent . A response was due by 29th June 2018 but none was received. I am required by rule 21 of the Employment Tribunals Rules of Procedure 2013 to decide on the available material whether a determination can be made and , if so, obliged to issue a judgment which may determine liability only or liability and remedy.
2. I have in the claim form sufficient information to enable me to find the claims proved on a balance of probability, and to find the claimant can show an exception to the need to have two years continuous employment to claim unfair dismissal, but not enough to determine the sums to be awarded . I also have enough to decide an increase under s 38 of the 2002 Act is merited because the claimant was not given a statement of terms and conditions of employment.
3. The law of unfair dismissal is in Part 10 of the Employment Rights Act 1996 (the Act) and relating to deduction of wages in Part 2. The common law provides a contract of employment may be brought to an end by reasonable notice. Dismissal without such

notice is termed "wrongful". Damages for wrongful dismissal are the pay due to the employee during the notice period (see Addis v The Gramophone Company).

TM Garnon Employment Judge

Date signed 5th July 2018