



EMPLOYMENT TRIBUNALS

Claimant: Ms Nicola Lewis

Respondent: Rapture Hair Studio Limited

Heard at: Cardiff **On:** 18th May 2018

Before: Employment Judge Howden-Evans

Representation:

Claimant: In person

Respondent: In person

JUDGMENT

The Employment Judge's decision is:

1. The respondent has dismissed Ms Lewis on grounds of redundancy. Ms Lewis is entitled to a statutory redundancy payment from the respondent of **£1,890** as calculated at the end of this judgment.
2. The respondent has dismissed Ms Lewis without any notice. Ms Lewis is entitled to **£1,750** compensation for breach of contract for lack of notice (notice pay) as calculated at the end of this judgment.
3. Ms Lewis is owed **£200** by the respondent, in respect of her untaken accrued holiday, as calculated at the end of this judgment.
4. In the event of this debt not being paid within 14 days of this judgment, interest will accrue on this debt, as calculated at the end of this judgment.

5. As the respondent's business has ceased trading, it is likely Ms Lewis will face difficulty recovering this debt from the respondent. If Ms Lewis is unable to recover this debt from the respondent, she is referred to section 166(1)a Employment Rights Act 1996, which explains her right to claim payment from the National Insurance Fund.
6. The Employment Protection (Recoupment of Jobseekers Allowance & Income Support) Regulations 1996 do not apply to this award.

Employment Judge L Howden-Evans
Dated: 18th May 2018

JUDGMENT SENT TO THE PARTIES ON
20 May 2018

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FOR THE SECRETARY OF
EMPLOYMENT TRIBUNALS

NOTE:

This is a written record of the Tribunal's decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal's Rules of Procedure 2013.

Calculations

The claimant commenced employed with the respondent at the age of 22, as a hair stylist, on 23rd September 2010. Her employment was terminated on 29th

December 2017. At the time of her dismissal she had 7 years' continuous employment with the respondent. Her gross weekly pay was £270 and her net weekly pay was £250.

1. Statutory Redundancy Payment

Ms Lewis is entitled to a statutory redundancy payment of 1 week's gross pay for each of her years of employment: $£270 \times 7 = \mathbf{£1,890}$

2. Compensation for breach of contract for lack of notice

Per s86 Employment Rights Act 1996, Ms Lewis was entitled to 7 weeks' notice of the termination of her employment and is awarded 7 weeks' net pay as compensation for breach of contract:

$$£250 \times 7 \text{ weeks} = \mathbf{£1,750}$$

3. Holiday pay

At the date of her dismissal, Ms Lewis had 4 days' holiday that she had accrued but not taken during the holiday year.

$$£250 \times 4/5 = \mathbf{£200}$$

Total amount owed to the claimant, by the respondent is £3,840

Interest will accrue at a rate of 8% per annum on any amount of this award that remains unpaid 14 days after the date of this judgment. (See Article 3 (1) Employment Tribunals (Interest) Order 1990)