



EMPLOYMENT TRIBUNALS

Claimants: (1) Miss K Jones
(2) Miss S Parr
Respondents: (1) Smoke-King
(2) Mr Paul Green trading as Greens of Leeds
(3) Greens Holdings UK Limited

AT A HEARING

Heard at: Leeds **On:** 5th and 6th June 2019
Before: Employment Judge Lancaster
Members: Mr Q Shah
Mr G Corbett

Representation

Claimants: Ms Fiona Almazedi, solicitor
Respondents: (1) and (2) did not enter an appearance and did not attend
(3) Mr Lynden Singh

JUDGMENT

1. The First Respondent is dismissed from these proceedings.
2. The title of the Second Respondent is amended to Mr Paul Green trading as Greens of Leeds.
3. There was a transfer of the business of Greens of Leeds from the Second to the Third Respondent on 16th November 2018.
4. The complaints of a failure to inform and consult, contrary to regulations 13, 13A and 15 of the Transfer of Undertakings (Protection of Employment) Regulations 2006 are well founded.
5. The Second and Third Respondent are jointly and severally liable to pay to the Claimants appropriate compensation assessed at 7 weeks' pay as follows:

Miss Jones	£2772.00
Miss Parr	£1960.00
6. The claims of constructive unfair dismissal succeed and the Third Respondent is ordered to pay to the Claimants compensation as follows;

Cases: 1800552/2019 &
1800553/2019

Basic Award

Miss Jones £4752.00

Miss Parr £2520.00

Compensatory Award (reduced in each case by 50 per cent because of contributory conduct)

Miss Jones gross pay in lieu of notice £1584.00

Miss Parr gross pay in lieu of notice £840.00

7. The Third Respondent is further ordered to pay an additional award in the sum of 2 weeks' pay under section 38 Employment Act 2002 to each Claimant as follows:

Miss Jones £792.00

Miss Parr £560.00

8. The total sums awarded to each Claimant are therefore as follows;

Miss Jones £9900.00

Miss Parr £5880.00

EMPLOYMENT JUDGE LANCASTER

DATE 6th June 2019

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.