



## THE EMPLOYMENT TRIBUNALS

Claimant  
Ms K Rutter

Respondent  
HT Leisure Limited

EMPLOYMENT JUDGE GARNON  
MADE AT NORTH SHIELDS

ON 23 September 2019

### JUDGMENT (Liability and Remedy ) Employment Tribunals Rules of Procedure 2013 –Rule 21

The claim of breach of contract (wrongful dismissal) is well founded. I award damages of £ 338.40. The Hearing listed for 7 October 2019 is cancelled.

### REASONS

1. The claim of wrongful dismissal , unlawful deduction of wages and holiday pay was accepted and served, by post to the registered office of the respondent as confirmed by a company search. A response was due by 6 September 2019 but none was received.
2. An Employment Judge is 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. Employment Judge Aspden had in the claim form sufficient information to enable her to find all claims proved on a balance of probability and to determine the sums to be awarded in all but the wrongful dismissal claim . She issued a Judgment on liability and remedy for unlawful deduction of wages and holiday pay and asked for more information on remedy for the wrongful dismissal which the claimant has now provided
3. 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 amount of pay due to the employee during the notice period (see Addis v The Gramophone Company). The minimum specified in s 86-88 of the Employment Rights Act 1996 ( the Act ) is one week

Employment Judge Garnon  
Date signed 23 September 2019