



# EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

and

Respondent

Mrs J Marsan

Big Marcel Ltd (1)  
Die With Your Boots On Ltd (2)

## RULE 21 JUDGMENT OF THE EMPLOYMENT TRIBUNAL

In default of the Respondents presenting a response within the time limit, and having regard to rule 21 of Schedule 1 of the Employment Tribunals Rules of Procedure 2013, Employment Judge Spencer, has adjudged on the basis of the information before her that

- (i) The proper Respondent to these proceedings is the Second Respondent.
- (ii) The Second Respondent made unauthorized deductions from the Claimant's wages as follows
  - a. in the sum of £194,664.08 representing the unpaid balance of the Claimant's net pay.
  - b. £78,300\* representing employee pension contributions deducted from salary but not paid to the pension provider and employer's contributions due but also not paid.
- (iii) The Claimant was constructively dismissed, and the Second Respondent is ordered to pay the Claimant £150,904 damages in respect of failure to give notice.
- (iv) The Respondent is ordered to pay the Claimant **£423,868**.

The hearing listed on 13<sup>th</sup> and 14<sup>th</sup> February 2020 cancelled

**Case Number:2202223/2019**

N.B the awards marked with an \* are expressed as gross figures. Provided that the Respondent makes appropriate deduction in respect of income tax and national insurance and accounts therefore to the proper authorities payment of the Claimant of the net sum will represent a valid discharge of this judgment,

Employment Judge F Spencer

Dated: 5th November 2019

JUDGMENT SENT TO THE PARTIES ON

05/11/2019

FOR THE TRIBUNAL OFFICE