



EMPLOYMENT TRIBUNALS

Claimant Mrs L Whileman

Respondent: Cornerstone Care Management Limited

HELD AT: Sheffield

ON: 6 January 2020

BEFORE: Employment Judge Little

REPRESENTATION:

Claimant: In person (Support Through Court volunteer present)

Respondent: Mr M Moomba (Director)

JUDGMENT

My Judgment is that:-

1. On the balance of probabilities, the effective date of termination of the claimant's employment with the respondent was 28 November 2018.
2. The complaint of unauthorised deduction from wages succeeds because the claimant was not paid for the last six weeks of her employment (19 October 2018 to 28 November 2018) and with her weekly pay being £156.60, the sum of £939.60 has been deducted (by non-payment) without authorisation.
3. The claimant was wrongfully dismissed because on dismissal she was neither given notice nor a payment in lieu. I find that her contractual entitlement to notice pay was four weeks and accordingly damages are assessed at £626.40.
4. The complaint in respect of holiday pay succeeds. As the claimant had taken no holidays during her 14 weeks employment, she had accrued 8.15 days holiday and so is entitled to a payment in lieu of those holidays in the amount of £181.82.

5. It follows that the total sum now due to the claimant is £1747.82 and the respondent is to make payment of that amount to the claimant forthwith.

Employment Judge Little

Date 9th January 2020