



EMPLOYMENT TRIBUNALS

Claimant

Mrs V Walker

v

Respondent

Griffin Technical Services Limited

PRELIMINARY HEARING

Heard at: Bristol

On: 22 January 2020

Before: Employment Judge Midgley

Appearances

For the Claimant: Mrs V Walker, In person (supported by Mr Walker)

For the Respondent: Did not appear

JUDGMENT

1. The claims of breach of contract (in respect of notice pay), unlawful deduction of wages, accrued but unpaid annual leave and failure to provide a written statement of employment particulars are well founded and succeed.
2. The claim of age discrimination is well founded and succeeds.
3. The Employment Judge considered, the Claimant having raised the issue in evidence, whether the Respondent had failed to comply with the ACAS Code of Conduct of Disciplinary and Grievances and determined that the Respondent had so failed such that any award should be increased by 25% pursuant to S. 207A TULRCA 1992.
4. The Respondent is Ordered to pay the Claimant **£2,708.86** in respect of the Claims under the ERA 1996 and EA 2002 as detailed below, where credit of £468.78 has been afforded for payment of notice and annual leave already made by the Respondent to the Claimant.
 - 4.1. £378.33 net in respect of 1 week's notice pay pursuant to s.86 ERA 1996;
 - 4.2. £479.45 gross in respect of 7 days accrued but untaken annual leave pursuant to s.13 ERA 1996;

- 4.3. £1,923.07 net equating to four weeks' pay pursuant to section 38 Employment Act 2002 for failing to provide the Claimant with written particulars of Employment.
5. The Respondent is Ordered to pay the Claimant **£578.02** in respect of the 25% increase to the sums at paragraph 4 above for the failure to follow the ACAS Code of Conduct.
6. The Respondent is Ordered to pay the Claimant **£9,000** for injury to feelings in respect of the discriminatory dismissal contrary to s.13 EQA 2020 and:
- 6.1. Interest calculated at 8% a day (£1.97 a day) from 25 March 2019 until 22 January 2020 (296 days) **£583.89**
- 6.2. A 25% increase to the injury to feelings award for failure to follow the ACAS Code of Conduct amounting to **£2,250.00**

Employment Judge Midgley

Dated: 28 January 2020

Judgment sent to parties: 4 February 2020

FOR THE TRIBUNAL OFFICE

Note

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