



**Claimant:** Miss C Walker

**Respondent:** Sarah Ratcliffe

# JUDGMENT

## Employment Tribunals Rules of Procedure 2013 – Rule 21

**No response having been presented and on the information before the Judge, the Judgment of the Tribunal is that:**

1. The claimant was employed by the respondent as a member of the bar staff at the Newall Green Hotel.
2. The claimant's claim of Unfair Dismissal is dismissed for want of jurisdiction since she lacked the necessary two years' service to bring such a claim.
3. The respondent breached the claimant's contract by failing to give notice of termination and is ordered to pay damages in the gross sum of £174.52 (one week's gross pay, calculated as an average of the three weeks' earnings in weeks ending 14 to 28 November 2019).
4. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the gross sum of £274.89.
5. The Tribunal has no power to order compensation for upset or injury to feelings.
6. The hearing listed on **8 April 2020** is cancelled.

**Damages for breach of contract have been assessed on the basis of the claimant's gross pay for the notice period. Once the respondent pays that amount to the claimant, HMRC is likely to require the claimant to pay tax and national insurance on it as Post-Employment Notice Pay.**

Regional Employment Judge Parkin

Date: 2 March 2020

**Case No: 2401211/20**

JUDGMENT SENT TO THE PARTIES ON

3 March 2020

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE

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## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2400211/2020**

Name of case: **Miss C Walker** v **Sarah Ratcliffe**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: **3 March 2020**

"the calculation day" is: **4 March 2020**

"the stipulated rate of interest" is: **8%**

For the Employment Tribunal Office