



# THE EMPLOYMENT TRIBUNALS

**Claimant**

Ms S Thompson

**Respondent**

Elle Hair and Beauty Salon (North East) Ltd

**JUDGMENT (Liability and Remedy)**  
**Empolymnt Tribunals Rules of Procedure 2013 –Rule 21**

1. The name of the respondent is amended to that shown above without the need of reservice.
- 2 The claimant is entitled to a redundancy payment of £ 369.45 payable by the respondent.
- 3 The claims of wrongful dismissal (breach of contract), unlawful deduction of wages, failure to pay compensation for untaken annual leave are well founded.
4. On the claim of wrongful dismissal, I order the respondent to pay to the claimant damages of £ 369.45.
5. On the claim of unlawful deduction of wages, I order the respondent to re-pay to the claimant the sum of £320.19.
6. On the complaint of failure to pay compensation for untaken annual leave, I order the respondent to pay compensation of £185.55.

**REASONS**

1. The claim was served on the respondent who replied admitting the claim. An Employment Judge is required by rule 21 of the Employment Tribunals Rules of Procedure 2013 (the Rules) 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.
- 2 I have in the claim form and answers supplied by the claimant give sufficient information to enable me to find the claims proved on a balance of probability and determine the sums to be awarded.
3. The law relating to redundancy payments is in Part XI of the Employment Rights Act 1996 ( the Act ). A claimant is entitled to 1 week's gross pay for every complete year of continuous employment during the whole of which she was over 22 but under 41

4. 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 are the amount of pay due during the notice period (see Addis v The Gramophone Company) which was 5 weeks

5. The law relating to unlawful deduction of wages is in Part 2 of the Act.

6. The Working Time Regulations 1998 say in Regulation 14 that where a worker's employment is terminated during the course of his leave year, and on the date on which the termination takes effect the proportion he has taken of the leave to which he is entitled in the leave year under regulation 13(1) differs from the proportion of the leave year which has expired. his employer shall make him a payment in lieu of untaken leave

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**T M Garnon EMPLOYMENT JUDGE**  
**SIGNED BY EMPLOYMENT JUDGE ON 20 February 2020**