



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Miss K Holbrook

and

Blades Services Limited
(No response entered)

**Remedy Hearing held at
Reading on**

13 March 2020

Representation

Claimant: Mr J Duffy, counsel
Respondent: Did not attend and not represented

Employment Judge

Vowles (sitting alone)

REMEDY JUDGMENT

Evidence

1. The Tribunal heard evidence on oath and read documents provided by the parties. From the evidence heard and read the Tribunal determined as follows.

Rule 21 Default Judgment

2. A liability judgment was made on 30 January 2019 in respect of the claims for Unfair Dismissal, Wrongful Dismissal (Notice Pay), Unpaid Holiday Pay and Failure to Provide Written Statement of Employment Particulars.

Compensation

3. The Claimant is awarded **£8,170.70** in compensation. A table below shows how this sum was calculated. The Respondent is ordered to pay this sum to the Claimant no later than 28 days from the date this judgment is sent to the parties.

Reasons – rule 62 of Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013

4. Reasons for this judgment were given orally at the hearing. Written reasons will not be provided unless a written request is presented within 14 days of the date this judgment is sent to the parties.

Public Access to Employment Tribunal Judgments

5. The parties are informed that all judgments and reasons for judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the Claimant and Respondent.

Table of Calculation

6. The Tribunal awarded the sums set out below.

7. **Unfair dismissal**

Basic Award

2 x 1.5 x £261.30 783.90

Compensatory Award

Loss of Earnings 22 weeks x £242.70 5,339.40

Loss of Pension 22 weeks x £1.65 36.30

(19.07.18 to 28.12.18)

Loss of Statutory Rights 500.00

5,875.70

Increase of 12.5 for unreasonable failure to comply with the ACAS Code of Practice 734.46

Total compensatory award 6,610.16

8. **Unpaid Holiday Pay**

Basic Award

16 days x £48.54 776.64

Total Award **£8,170.70**

9. **Wrongful Dismissal – article 3 Employment Tribunals Extension of Jurisdiction (E&W) Order 1994**

The 2 weeks' notice pay (2 x £242.70 = £485.40) is cancelled out by the award for loss of earnings award above).

10. **Failure to Provide Written Statement of Employment Particulars.**

It was not just and equitable to make an award under section 38 Employment Act 2002.

11. **Recoupment**

The Claimant did not claim benefits and the Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply.

I confirm that this is my Judgment in the case of Miss K Holbrook v Blades Services Ltd case no. 3334349/2018 and 3334355/2018 and that I have dated the Judgment and signed by electronic signature.

Employment Judge Vowles

Date: 10 May 2020

Sent to the parties on:

.....21.5.2020.....

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For the Tribunals Office