

Cases: 2603345/2019,  
1806755/2019, 1806757/2019,  
1806783/2019, 1806789/2019 &  
1807581/2019



# EMPLOYMENT TRIBUNALS

**Claimants:** Mrs A Miskiewicz  
Mrs M Warzywoda  
Mrs J Berzina  
Mrs I Nawrocka  
Miss E Nowak

**Respondent:** KL Invest Boston Limited

## AT A HEARING

**Heard at:** Hull                      **On:** 7<sup>th</sup> August 2020  
**Before:** Employment Judge Lancaster

### Representation

**Claimants:** Mrs Miskiewicz, Mrs Wazywoda, Mrs Nawrocka and Miss Nowak in person  
(through an interpreter)  
Mrs Berzina did not attend

**Respondent:** No appearance entered and did not attend

## JUDGMENT

1. The claim of Mrs Berzina (1806783/2019) is dismissed because it is not being actively pursued.
2. The second claim of Mrs Miskiewicz (1806755/2019) is dismissed upon withdrawal, because it is a duplicate of 2603345/2019 on which a liability judgment has already been entered under rule 21 of the Employment Tribunals Rules of Procedure 2013.
3. The Respondent is ordered to pay to Mrs Miskiewicz compensation for an unauthorised deduction from wages in the sum of £262.72 gross (being 32 hours unpaid in October 2019 at an hourly rate of £8.21)
4. The Respondent is ordered to pay to Mrs Miskiewicz compensation for accrued but untaken holiday up to the date of termination on 13<sup>th</sup> October 2019 in the sum of £172.41 gross (being 3 days at 7 hours per day at an hourly rate of £8.21)
5. Any claim of Mrs Warzywoda for notice pay or for a redundancy payment is withdrawn because she resigned without notice and did not have 2 years' qualifying service
6. The continuing claim of Mrs Warzywoda (1806757/2019) succeeds.
7. The Respondent is ordered to pay to Mrs Warzywoda compensation for an unauthorised deduction from wages in the sum of £537.76 gross (being 65.5 hours unpaid in October 2019 at an hourly rate of £8.21)

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8. The Respondent is ordered to pay to Mrs Warzywoda compensation for accrued but untaken holiday up to the date of termination on 13<sup>th</sup> October 2019 in the sum of £229.88 gross (being 4 days at 7 hours per day at an hourly rate of £8.21)
9. The claim of Mrs Nawrocka (1806789/2019) succeeds in part.
10. The Respondent is ordered to pay to Mrs Nawrocka compensation for an unauthorised deduction from wages in the sum of £615.75 gross (being 75 hours unpaid in October 2019 at an hourly rate of £8.21)
11. The Respondent is ordered to pay to Mrs Nawrocka compensation for accrued but untaken holiday up to the date of termination on 18<sup>th</sup> October 2019 in the sum of £229.88 gross (being 4 days at 7 hours per day at an hourly rate of £8.21)
12. Mrs Nawrocka was dismissed by reason of redundancy and the Respondent is ordered to pay to her a redundancy payment in the sum of £541.86 (being 2 weeks' pay at 33 hours per week).
13. Mrs Nawrocka was wrongfully dismissed and the Respondent is ordered to pay to her damages for breach of contract in the sum of £450.62 (being 2 weeks' net pay in lieu of notice).
14. Any claim for breach of contract in respect of pension contributions allegedly deducted but not paid to the pension provider is dismissed.
15. The claim of Miss Nowak (1807581/2019) succeeds in part.
16. The Respondent is ordered to pay to Miss Nowak compensation for an unauthorised deduction from wages in the sum of £677.33 gross (being 82.5 hours unpaid in October 2019 at an hourly rate of £8.21)
17. The Respondent is ordered to pay to Miss Nowak compensation for accrued but untaken holiday up to the date of termination on 18<sup>th</sup> October 2019 in the sum of £344.82 gross (being 6 days at 7 hours per day at an hourly rate of £8.21)
18. Miss Nowak was dismissed by reason of redundancy and the Respondent is ordered to pay to her a redundancy payment in the sum of £812.79 (being 3 weeks' pay at 33 hours per week).
19. Miss Nowak was wrongfully dismissed and the Respondent is ordered to pay to her damages for breach of contract in the sum of £669.75 (being 3 weeks' net pay in lieu of notice).
20. It is declared that Miss Nowak was unfairly dismissed but no further compensation is payable.
21. Any claim for breach of contract in respect of pension contributions allegedly deducted but not paid to the pension provider is dismissed.

EMPLOYMENT JUDGE LANCASTER

DATE 7<sup>th</sup> August 2020