



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs L J Hall

**Respondent:** IESKA Sport Centre Limited

**Heard at:** Bristol Employment Tribunal      **On:** 4 September 2020

**Before:** Employment Judge J Bax

## Representation

**Claimant:** Mr I Soulsby (solicitor)

**Respondent:** Did not attend

# JUDGMENT

1. The claim for holiday pay under the Working Time Regulations 1998 is dismissed upon the Claimant's withdrawal.
2. The claim that the Respondent unlawfully deducted wages is well founded.
3. The Respondent wrongfully dismissed the Claimant and her claim for notice pay succeeds.
4. The Respondent unfairly dismissed the Claimant.
5. The Respondent unlawfully discriminated against the Claimant on the grounds of her age.
6. The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 do not apply in this case.

## REMEDY

1. The Respondent is ordered to pay the Claimant the gross sum of £522.63 in respect of her claim of unlawful deduction from wages.
2. The Respondent is ordered to pay the Claimant the sum of £1,956.32, net, in respect of her claim for notice pay.
3. The Respondent is ordered to pay the Claimant £12,955.53 in respect of her claim of unfair dismissal.
4. The Respondent is ordered to pay the Claimant the sum of £5,500 for injury to feelings in respect of her claim of age discrimination.

The Claimant's award for unfair dismissal is broken down as follows:

Basic Award:	£3,228.72
Compensatory Award	
Loss of earnings from 27 January 2020 (end of the notice period, for which credit was given) until 4 September 2020	£7,106.83
Loss of employer's pension contribution from 27 January 2020 until 4 September 2020	£175.12
Loss of statutory rights	£500
Uplift for failing to follow the ACAS Code of Practice on Disciplinary And Grievance Procedures 2015 assessed at 25%	£1,945.36
Total	£12,955.53

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Employment Judge J Bax  
Date : **4 September 2020**

### 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.