



EMPLOYMENT TRIBUNALS

Claimant: Ms N Hanis

Respondent: Promo Concepts Ltd

Heard at: Croydon (by cloud video platform) **On:** 27 and 28 October 2020

Before: Employment Judge Nash (sitting alone)

Appearances

For the claimant: Ms Nicholls of counsel

For the respondent: Mr Hine, solicitor

JUDGMENT

1. The claim of unfair dismissal under s100(1) Employment Rights Act 1996 succeeds.
2. The respondent breached the claimant's contract of employment by failing to pay commission for December 2019 in the sum of £1463.39 and for January 2020 in the sum of £948.13.
3. The respondent breached the claimant's contract by failing to pay the correct notice pay in that no allowance was made for commission.
4. The respondent breached the claimant's contract by failing to make a correct payment in respect of accrued annual leave in that no allowance was made for commission.
5. Any compensatory award or award for breach of contract made under or pursuant to this judgment is increased by 10% for failure to comply with the ACAS Code pursuant to Section 207A(2) TULR(C)A 1992.

6. The respondent failed to comply with s1 Employment Rights Act 1996, and the awards are increased by the minimum amount of two weeks pay pursuant to s38 Employment Act 2002.

Employment Judge Nash

Date 28 October 2020

Notes

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.

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