



EMPLOYMENT TRIBUNALS

**Claimant**  
**Ms N Abdulle**

v

**Respondent**  
**Commusoft Limited**

**Heard at: London South by CVP**

**On: 29 October 2020**

**Before: Employment Judge Truscott QC**

**Appearances:**

**For the Claimant: In person**  
**For the Respondent: Mr J Morjaria director**

This has been a remote hearing which was not objected to by the parties. The form of remote hearing was video. A face to face hearing was not held because it was not practicable to do so.

**JUDGMENT**

The claim for breach of contract under the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 is dismissed.

**REASONS**

**Preliminary**

1. The claimant gave evidence on her own behalf. Mr Morjaria a director of the respondent gave evidence on its behalf. There were a number of documents send to the Tribunal in advance of the hearing to which reference will be made where necessary.

**Findings**

1. The claimant commenced employment with the respondent on 20 August 2018. Her contract provided for a probationary period of six months during which the notice period was a week. Clause12.1 provides that after completion of the probationary period the notice period will be one month.

2. By letter dated 9 March 2019, the claimant's probationary period was extended to 1 September 2019. By implication, the period of notice remained at one week because the employment remained in the probationary period

3. In July the claimant texted and emailed to say that she was leaving her employment. By an email dated 25 July 2019, the respondent set out a detailed calculation of what was due to be paid which included a week's pay in lieu of notice under deduction of holidays taken in excess of her contractual entitlement and sick leave. There was no dispute about the deductions. The claimant owed the respondent £271.05 which it did not seek to recover.

4. The claimant could not point to a substantive basis for her claim for one month's notice. The claimant has no right under statute or under contract to more than one week's notice which was paid, accordingly the claim is dismissed.

**Employment Judge Truscott QC**

**Date 29 October 2020**