Case Number: 2500947/2020



EMPLOYMENT TRIBUNALS

Claimant: Miss G Witton

Respondent: Angela Gleghorn (also known as Angela Littlemore) trading as Mosaic

Beauty

Heard at: Newcastle (by video link) On: 29 October 2020

Before: Employment Judge S Shore

Appearances

For the claimant: Mr J Bromige, Counsel

For the respondent: No appearance

REMEDY JUDGMENT

- In a Judgment dated 27 July 2020, Employment Judge Garnon found that the claimant's claims of unfair dismissal, failure to provide written reasons for dismissal, breach of contract, failure to provide itemised payslips, compensation for untaken annual leave and unauthorised deduction of wages were all wellfounded. The Judgment was made under Rule 21 of the Employment Tribunals Rules of Procedure 2013.
- 2. The respondent, Angela Gleghorn, shall pay the claimant compensation calculated as follows:

Unfair Dismissal

- 2.1. A Basic Award calculated as two weeks' pay (at £191.25 gross per week), being a total of £382.50.
- 2.2. No Compensatory Award for losses to the date of this hearing.
- 2.3. A Compensatory Award for future loss for loss of statutory rights £250.00.
- 2.4. After reconsidering the matter after the hearing on my own motion, I find that the Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply, as the only Compensatory Award made to the claimant relates to future loss.

Case Number: 2500947/2020

Breach of Contract

2.5. The claimant's contractual entitlement to notice was four weeks' pay, calculated as 4 x £177.95 = £771.11.

Unpaid Annual Leave

2.6. The claimant was entitled to one day's paid leave at the effective date of her termination of employment, which is calculated as £56.31.

Unauthorised Deduction of Wages

- 2.7. The claimant was not paid for working on 28 January 2020, which is calculated as £56.31.
- 2.8. The respondent failed to pay pension contributions on behalf of the claimant in the sum of £114.72.
- 2.9. The respondent failed to pay NI contributions on behalf of the claimant in the sum of £29.76.

Uplift for Failure to Comply with ACAS Code of Practice No.1

2.10. I find that the respondent failed to make any attempt to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures and that an uplift on the awards for unfair dismissal, breach of contract and unauthorised deductions of 25% should be applied. The total awarded under those three heads of claim is £1,057.76, so the uplift is £489.44.

Failure to Provide Written Reasons for Dismissal

2.11. I award the claimant 2 weeks' pay for the respondent's failure to provide written reasons for dismissal, when requested to do so. The award is 2 x £191.25 = £382.50.

Total

2.12. The total payable by the respondent to the claimant is £2,447.21.

Employment Judge Shore 30 October 2020