



## EMPLOYMENT TRIBUNALS

Claimant

Respondent

**Miss G Mitchell**

v

**Butterfly Leisure Limited**

### **PUBLIC HEARING**

**Heard: In Leeds**

**On: 1 February 2021**

**Before:**

**Employment Judge JM Wade**

**Representation:**

**Claimant:**

**Ms V Tate (lay representative)**

**Respondent:**

**Mr H Kaye (director)**

## **JUDGMENT**

- 1 The claimant's complaint of unpaid holiday pay on the termination of her employment is dismissed.
- 2 The claimant's constructive unfair dismissal complaint is well founded and the respondent shall pay to her a Basic Award of **£304** and a Compensatory Award of **£1562.50**.
- 3 The claimant's constructive wrongful dismissal succeeds; damages for two weeks' notice pay are included in the compensatory award above.
- 4 The claimant's unlawful deduction from wages complaint succeeds and the respondent shall pay to her the gross sum of **£1116.50**.
- 5 I do not exercise my discretion to increase these awards to reflect a failure to provide written particulars of employment or a failure to comply with the ACAS code, albeit I am satisfied there were such failures.

Employment Judge JM Wade

Date: 2 February 2021