



EMPLOYMENT TRIBUNALS

Claimant: Ms T Munir

Respondent: RMR Electrical Solutions Limited

Heard at: Nottingham **On:** 23 November 2020

Before: Employment Judge Victoria Butler (sitting alone)

Representation

Claimant: Ms K Moss, Counsel

Respondent: Mr Rose, Director

This hearing was conducted as a hybrid – the Claimant attended in person and the Respondent joined by CVP.

JUDGMENT

The Employment Tribunal Judge gave judgment as follows:-

1. The Respondent's Response is struck out for failure to comply with an Unless Order.
2. The Claimant's claim of unfair dismissal succeeds.
3. The Claimant's claim of wrongful dismissal succeeds.
4. The Claimant's claim for accrued but untaken holiday pay (paid at national minimum wage) succeeds.
5. The Claimant's claim of unauthorised deductions of wages (both non-payment of wages and failure to pay wages at the national minimum wage) succeeds.
6. The Claimant's claim that the Respondent failed to provide written reasons for her dismissal succeeds.
7. The Claimant's claim that the Respondent failed to provide her with written particulars of employment succeeds.
8. The Claimant's application for her costs in the amount of £4,000 plus VAT succeeds.
9. The Respondent is, therefore, ordered to pay the Claimant the following amounts:

Unfair dismissal

Basic award:

The Respondent shall pay the Claimant a basic award in the sum of **£262.72**

Compensatory award:

The Respondent shall pay the Claimant a compensatory award of made up of the figures below:

Loss of earnings: **£525.44**

Loss of statutory rights: **£350**

Failure to provide written reasons for dismissal (two week's pay):
£262.72

Damages for wrongful dismissal:

The Respondent shall pay damages to the Claimant for one week's notice: **£131.36.**

Holiday pay:

The Respondent shall pay to the Claimant the sum of **£1,744.51** in respect of accrued but untaken holiday pay at the termination date (at national minimum wage).

Unauthorised deductions from wages:

The Respondent shall pay to the Claimant the sum of **£9,469.64** in respect of non-payment of wages (at the national minimum wage) for the period 1 June 2017 – 25 November 2019 (credit having been given for wages received).

Failure to provide written particulars of employment:

The Respondent shall pay to the Claimant four weeks' pay in the amount of **£525.44.**

The Claimant's costs

The Respondent is ordered to pay the Claimant's costs in the amount of **£4,800** (£4,000 plus VAT).

SUMMARY:

Unfair dismissal basic award; **£262.72**

Financial loss: **£11,870.95**

Loss of statutory rights: **£350**

Uplift on compensation of 25% for failure to comply with the ACAS Code of Practice: **£3,055.24**

Non-financial loss:	£788.16
The Claimant's costs:	£4,800 (inc. VAT)
TOTAL AMOUNT PAYABLE:	<u>£21,127.07</u>

Employment Judge Victoria Butler

Date: 30 November 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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.