



EMPLOYMENT TRIBUNALS

Claimant: Mrs C Pikes

Respondent: Mr M Pygott

Heard at: Birmingham (by CVP) **On:** 18 and 19 March 2021

Before: Employment Judge Miller

Representation

Claimant: Mr G Probert (Counsel)

Respondent: Mr M Khoshdel (Counsel)

JUDGMENT

1. The claimant's claim that she was unfairly dismissed is well founded and succeeds.
2. The claimant's claim that she was dismissed in breach of contract is successful.
3. The claimant's claim that she was not paid her holiday pay outstanding on termination of employment in accordance with regulation 14 of the Working Time Regulations 1998 is successful.
4. The claimant was not given itemised pay statements that contain the particulars required to be included in a pay statement in accordance with section 8(2)(e) of the Employment Rights Act 1996.
5. For the purposes of section 38 Employment Act 2002, at the date when these proceedings started, the respondent was in breach of his duty under section 4 Employment Rights Act 1996 to give the claimant a written statement of particulars of change of particulars to be given under section 1 Employment Rights Act 1996.

6. Remedy will be determined at a hearing on 28 May 2021.

Employment Judge Miller

Date 19 March 2021