



EMPLOYMENT TRIBUNALS

Claimant

Miss C Holder

Respondent

v

(1) Mapps Group Limited
(In voluntary liquidation)
(2) Foster Property Maintenance
Limited

Heard at: Cambridge

On: 24 February 2021

Before: Employment Judge Bloom

Appearances

For the Claimant: In person

For the First Respondent: Did not attend and was not represented

For the Second Respondent: Did not attend and was not represented

JUDGMENT

The Claimant was awarded the total sum of £18,428.24 to be paid by the Respondents.

REASONS

1. The Claimant was formerly employed by the First Respondent, Mapps Group Limited, a company now in liquidation. Prior to Employment Judge Warren entering Judgment in favour of the Claimant on 13 October 2020 a Second Respondent, Foster Property Maintenance Limited, had been joined into these proceedings as a Second Respondent. It is my understanding that the Second Respondent did not enter any Response to the Claim. In any event, Employment Judge Warren entered Judgment in favour of the Claimant against both Respondents. The issue of Remedy was adjourned for a specific Hearing to be conducted in that regard and hence the matter came before myself.
2. I heard evidence from the Claimant concerning her losses. Neither Respondent attended and they were not represented.

3. The Claimant's Claim was presented to the Employment Tribunal on 9 May 2019. In it she brought a Claim of Constructive Unfair Dismissal. She did not present any Claims for either Unlawful Deduction of Wages and / or Breach of Contract. Some of the sums she was claiming could only be brought before the Employment Tribunal under its jurisdiction of either Breach of Contract or Unlawful Deduction of Wages. These Claims concerned non-payment of a retention bonus and a shortfall in the Claimant's salary covering the months of September and October 2018. I was only able to deal with the issues of compensation arising from the Unfair Dismissal claim.
4. After the Claimant resigned with immediate effect on 4 March 2019, she did not secure any alternative employment until 19 June 2019. I am satisfied that the Claimant's net loss of salary covering that period amounted to the sum of £12,428.87. The Claimant did secure alternative employment commencing on 19 June 2019, on a temporary basis. She secured a full time post with effect from 12 August 2019 and now receives a salary greater than that received by either Respondent. There is therefore no continuing loss on or after 12 August 2019.
5. Between 19 June 2019 and 11 August 2019 inclusive, the Claimant received a net income from alternative employment in the sum of £2,734.95.
6. The Claimant's two months loss of income amounted to the sum of £7,184.32 which was the net salary she would have received in employment with the Respondents. Deducted from that sum is the sum in relation to her other earnings which results in a net loss for that period of £4,449.37.
7. I award the Claimant the sum of £500.00 in respect of loss of statutory rights.
8. The above calculations result in the following awards:

Basic Award

The Claimant was 35 years old at the time of her termination of employment. She had been continuously employed for 2 years. She earned more than the then statutory gross weekly pay of £525.00 per week.

This results in a Basic Award of: £ 1,050.00

Compensatory Award

Loss of statutory rights:	£ 500.00
Net loss of income:	<u>£16,878.24</u>
Total Compensatory Award:	£17.378.24

TOTAL AWARD £18,424.24
(i.e. Basic Award plus Compensatory Award)

9. The Recoupment Provisions do not apply to this award.

5 March 2021

Employment Judge Bloom

Sent to the parties on: .24/3/21..

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For the Tribunal Office