



EMPLOYMENT TRIBUNALS

Claimant: Mrs S Armstrong

Respondents: Sukjai Limited

Heard: Remotely (by video link) **On:** 26 April 2021

Before: Employment Judge S Shore

Appearances

For the claimant:

For the respondent: No Appearance

JUDGMENT ON REMEDY

1. Judgment on liability having been entered in default pursuant to Rule 21, the respondent will pay compensation to the claimant for unfair dismissal as follows.

Basic Award

2. The claimant was aged 40 at the effective date of dismissal. Her employment began on 5 February 2013. She therefore had 7 years' continuous service with the respondent. She was paid £374.00 per week gross and £302.60 per week net. The respondent will pay the claimant a basic award of 7 weeks' gross pay = **£2,618.00**.

Loss to Date of Hearing

3. The period for the effective date of termination to the hearing date is 29 weeks. In that period, she obtained 6 weeks' employment, which paid slightly more than her earnings at the respondent, that ended because of the pandemic lockdown. I find that the chain of causation was not broken by the period of employment. I find that her loss to the date of this hearing is 23 weeks x £302.60 = **£6,959.80**.

Future Loss

4. The respondent will pay the claimant an award for loss of statutory rights in the sum of **£500.00**.

5. The respondent will pay the claimant an award for future loss of earnings for the period of three weeks from the date of this hearing x £302.60 = **£907.80**.
6. I make no award of uplift for breach of the ACAS Code of Conduct.
7. This is not a case to which the Employment Protection (Recoument of Jobseeker's Allowance and Income Support) Regulations 1996 apply.
8. The total payable by the respondent to the claimant for unfair dismissal is **£2,618.00 + £6,959.80 + £500.00 + £907.80 = £10,985.80**.

Failure to Provide Written Statement of Terms and Conditions of Employment

9. The respondent failed to provide the claimant with a written statement of terms and conditions of employment as required by section 1(1) of the Employment Rights Act 1996 by the date that she started these proceedings and it is just and equitable to award her 4 weeks' pay = **£1,496.00**.

Total

10. The total payable by the respondent to the claimant is **£10,985.80 + £1,496.00 = £12,481.60**.

Note: This has been a remote hearing. The parties did not object to the case being heard remotely. The form of remote hearing was V - video. It was not practicable to hold a face to face hearing because of the Covid19 pandemic.

Employment Judge Shore
26 April 2021