



EMPLOYMENT TRIBUNALS

Claimant: Mrs J Booth

Respondent: J P Hollinshead

Heard at: The Midlands West Employment Tribunal (remotely, by CVP)

On: 26 May 2021

Before: Employment Judge Wilkinson

Representation

Claimant: in person

Respondent: no attendance

JUDGMENT

1. The claimant was entitled to holiday pay under the oral terms of her contract of employment which was unpaid.
2. There shall be judgment for the claimant in sum of £656.00 (gross) for unpaid holiday pay.
3. The respondent additionally made unauthorised deductions from the claimant's wages in the form of unpaid wages for work carried out.
4. There shall be judgment for the claimant in the sum of £80.00 (gross) for the unauthorised deductions from her wages.
5. The claim for statutory redundancy pay succeeds.
6. There shall be judgment for the claimant in the sum of £4,510.00 (gross).
7. The claimant was unfairly dismissed but there shall be no award of damages (either a basic or compensatory award) on the basis that:
 - a. the claimant has been compensated by virtue of her claim for statutory redundancy pay;
 - b. the tribunal finds that even if the claimant had been fairly dismissed the claimant would likely have been dismissed in any event; and
 - c. in those circumstances any award would be reduced by 100%.

Signed by: Employment Judge Wilkinson

Signed on: 26 May 2021

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.