



EMPLOYMENT TRIBUNALS

Claimant: Ms N Dowe

Respondent: Whitbread Group Plc

AT A HEARING

Heard at: Nottingham by CVP

On: 29 June 2021

Before: Employment Judge Hutchinson sitting alone

Representation

Claimant: In Person

Respondent: No Appearance

JUDGMENT

The Employment Judge gave Judgment as follows:

1. The name of the respondent is amended to Whitbread Group Plc.
2. The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of £1,596.
3. The claimant was dismissed in breach of contract in respect of notice pay and the respondent is ordered to pay to the claimant the sum of £1,816.56.
4. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay to the claimant the sum of £908.28.

REASONS

Background to this hearing

1. The claimant presented her claim to the Tribunal on 9 February 2021. She had been employed by the respondent from 16 June 2013 until 11 November 2020 as a Housekeeper. She named the respondent as Premier Inn of Cathedral Quarter, Full Street Derby DE1 3AF.
2. In her claim form she said that she had not been paid the correct amount of redundancy pay.
3. She also went on to say that she suffered from rheumatoid arthritis and this was one of the reasons her job ended as she could not do many rooms and sometimes it would affect her ringing in sick. She said that the respondents knew about her condition and that “they did not follow those rules”.
4. The claim was accepted by the Tribunal and apart from the issues regarding her redundancy it also appeared that she wished to pursue a claim of disability discrimination.
5. The claim was served upon Premier Inn at its address in Derby and no response was received, a response should have been received by 12 March 2021.
6. The Tribunal wrote to the claimant on 1 April 2021, asking for further details of her financial circumstances. The claimant wrote back on 7 April 2021, referring to her issues regarding rheumatoid arthritis. She said that when she had spoke to the respondents immediately before her dismissal, she was told that the main reason that she was being dismissed was her arthritis. She said that she asked after seeing Occupational Health in 2018 if she could do cleaning stairs, front of house etc as that would be easier for her than doing her other work. She says that they ignored her. She also said that she had not been paid her holiday pay.
7. After receiving that information, my colleague Employment Judge Butler, issued a Judgment in respect of her claim and listed the matter for a remedy hearing which I have dealt with today.

The hearing today

8. Only the claimant was in attendance and I was able to take details from her about her employment and calculate on the basis of what she told me how much pay she was entitled to following the termination of her employment.
9. I have only given Judgment in respect of those amounts and not in respect of any claim for disability discrimination because I have not sufficient information to make judgment.
10. I was also told of the hearing that the claimant’s employer was not in fact Premier Inn but Whitbread Group Plc and I have amended the name of the

respondent and they will be sent this Judgment. If they wish to contest any of the amounts, they can obviously apply for a reconsideration hearing.

11. I was satisfied that it was appropriate for me to issue a Judgment in respect of:
 - (1) Statutory redundancy pay
 - (2) Notice pay
 - (3) Holiday pay

12. The payments calculated are on the basis of the following information provided by the claimant:
 - (1) Her gross pay was £728 per month which £168 per week.
 - (2) Her net pay was £656 per month which amounts to £151.38 per week.
 - (3) She had been employed by the respondents for seven whole years.
 - (4) At the date of the dismissal she was 46 years old.
 - (5) In her contract she was entitled to 12 weeks notice pay.
 - (6) At the date of her dismissal she was owed 30 days holiday pay.

13. The amounts that she is therefore entitled to are:
 - (1) Redundancy pay – $9.5 \times £168 = £1,680$
 - (2) Notice pay – $12 \times £151.38 = £1,816.56$
 - (3) Holiday pay – 30 days @ £30.27 per day = £908.28

Employment Judge Hutchinson

Date 26 July 2021

JUDGMENT & REASONS SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

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