



EMPLOYMENT TRIBUNALS

Claimant

Respondent

MRS S HAYWARD

v

RUSH HAIR LIMITED

Heard at: London Central (by video)

On: 13 September 2021

Before: Employment Judge P. Klimov, sitting alone

Representation

For the Claimant: Mr R. Holst (lay representative)

For the Respondent: Ms B. Balmelli (of Counsel)

This has been a remote hearing which was not objected to by the parties. The form of remote hearing was by Cloud Video Platform (CVP). A face to face hearing was not held because it was not practicable due to the Coronavirus pandemic restrictions and all issues could be determined in a remote hearing.

JUDGMENT

The Respondent is ordered to pay the Claimant the net sum of **£43,539.53** comprising:

1. **£11,806.27** - damages for breach of contract (wrongful dismissal);
 2. Compensation for unfair dismissal:
 - a. Basic award: **£4,725.00**
 - b. Compensatory award:
 - i. Loss of statutory rights: £400
 - ii. Past loss: £28,871.20
 - iii. Future loss (60 weeks from 4 June 2021) £38,180.04
 - iv. Less sums earned in mitigation (£43,150.36)
- Total Compensatory Award: **£24,300.36**

Total Award before grossing up: £11,806.27 + £4,725.00 + £24,300.36 = **£40,831.63**

Grossing up Award:

Balance of tax-free amount of £30,000 not used by Basic Award: £30,000 - £4,725.00
= £25,275.00

Amount to be grossed up: (£11,806.27 + £24,300.36) - £25,275.00 = £10,831.63

Grossing up at 20% (basic tax rate): £10,831.63 / 80% = £13,539.53

Adding back tax-free amount: £13,539.53 + £25,275.00 = **£38,814.53**

Total Award after grossing up: £38,814.53 + £4,725 = **£43,539.53**

**Employment Judge P Klimov
13 September 2021**

Sent to the parties on:

14/09/2021

For the Tribunals Office

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.