



EMPLOYMENT TRIBUNALS

Claimant: Miss S Gibejova
Respondent: M'S Creamy Gelato Limited

Heard at: London Central **On:** 6 September 2021

Before: Mr N Deol (Employment Judge)

Representation

Claimant: In person
Respondent: Mr V Kakar (Director)

JUDGMENT

1. The Respondent has agreed to correct the name of the Claimant on its payroll records to **Ms Simona Gibejova**. It will notify HMRC of this and confirm the position to the Claimant within 28 days of the date of this Judgment.
2. The Claimant's claims for the following are not contested and are therefore well founded. The Claimant is entitled to the following amounts:
 - (i) Holiday Pay of **£686.61**
 - (ii) Arrears of wages (representing 48 hours at £12 per hour from 12 April – 25 April 2021) of **£576**
 - (iii) Arrears of wages (representing 14 hours at £8.72 per hour from 26 -27 April 2021) of **£122.08**

By consent the Respondent will pay these amounts to the Claimant within 28 days ensuring that they are attributed to the Claimant's correct name, Ms Simona Gibejova.

3. The Claimant's claim for notice pay is well founded and the Claimant is entitled to **£174.40** representing 20 hours at £8.72 per hour.

4. The Claimant's claim for accrued and unpaid holiday is well founded and the Claimant is entitled to **£104.70**.
5. The awards in favour of the Claimant, as set out above, are uplifted by 25% pursuant to section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992. The total award in relation to the uplift is **£413.40**.
6. The amounts should be paid by the Respondent to the Claimant within 28 days of the date of this Judgment.
7. The Respondent's counterclaims for inadequate notice and damage to the Respondent's property are not well founded and are dismissed.

Judge Deol
October 2021

Employment
Date 3

SENT TO THE PARTIES ON:04/10/2021

JUDGMENT

FOR THE TRIBUNAL OFFICE

Note
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.