



EMPLOYMENT TRIBUNALS

Claimant: Kathrine Crellen

Respondent: Deniz Atay

JUDGMENT ON LIABILITY

Employment Tribunals Rules of Procedure 2013 – Rule 21

The judgment of the Tribunal is that:

1. The complaint in respect of unfair dismissal is well founded and succeeds.
2. The Complaint in respect of wrongful dismissal (notice pay) is well founded and succeeds.
3. The complaint of unlawful deduction of wages is well founded and succeeds.
4. The complaint under regulation 30 Working Time Regulations 1998 in respect of untaken accrued holidays is well founded and succeeds.
5. The complaint under section 93 Employment Rights Act 1996 for unreasonable failure to provide a written statement of the reasons for dismissal is well founded and succeeds.
6. The hearing currently listed on 29th October 2021 shall be converted to a remedies hearing.

REASONS

7. The Claimant was employed by the Respondent from 14 October 2008 to 14 May 2021 as a shop assistant when she was dismissed without notice.
8. Proceedings were initially presented against the Respondent and served on an address in London. However, no response was received, and the address was amended and subsequently served on the Respondent at a different London address. Again, no response was returned. Therefore, in accordance with rule 21 of the Tribunal Rules of Procedure an Employment Judge must decide whether on the

available material a determination can properly be made of the claim or part of it, and to the extent that a determination can be made, the Employment Judge must issue a judgment.

9. I am satisfied that there is sufficient information contained within the Claim Form to issue judgment against the Respondent. However, I was not in a position to deal with remedy and made appropriate directions for further information to be provided by the Claimant. Therefore, it was appropriate for a judgment to be issued in respect of liability only and for remedy to be addressed at the forthcoming hearing on 29th October 2021.

Employment Judge Sweeney

7th October 2021