



# EMPLOYMENT TRIBUNALS

## FINAL HEARING - REMEDY

**Claimant:** Mrs K Crellen

**Respondent:** Deniz Atay

**Heard:** Remotely by video      **On:** 9 February 2022

**Before:** Employment Judge S Shore

***Representation:***

**Claimant:** In Person

**Respondent:** No Appearance

## JUDGMENT

1. On 7 October 2021, Employment Judge Sweeney gave Judgment in favour of the claimant under Rule 21 of the Employment Tribunals Rules of Procedure in respect of her claims of unfair dismissal; wrongful dismissal (failure to pay notice pay); unauthorised deduction of wages; failure to pay accrued holiday pay; and failure to provide written reasons for dismissal. This was the remedy hearing that followed that Judgment.
2. In respect of the claimant's claim of unfair dismissal contrary to section 95 of the Employment Rights Act 1996, the respondent will pay the claimant a basic award of 12 weeks' pay - £855.36 and a compensatory award for loss of her statutory rights of £150.00. That is a total of **£1,005.36**.
3. In respect of the claimant's claim of breach of contract contrary to Article 4 of the Employment Tribunals Extension of Jurisdiction (England & Wales) Order 1994, the respondent will pay the claimant **£672.22**.
4. In respect of the claimant's claim of unauthorised deduction of wages contrary to section 13 of the Employment Rights Act 1996, the respondent shall pay the claimant **£142.56**.
5. In respect of the claimant's failure to pay the claimant accrued holiday pay contrary to regulation 30 of the Working Time Regulations 1998, the respondent shall pay the claimant **£112.93**.

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6. In respect of the claimant's claim of unreasonable failure to provide written reasons for dismissal, contrary to section 93 of the Employment Rights Act 1996, the respondent shall pay the claimant two weeks' pay - **£142.56**.
7. The respondent failed to comply with the ACAS Code on Grievances and Disciplinary procedures at all, so the awards for notice pay, wages and holiday pay are increased by 25%. That is a total of **£232.01**.
8. The total payable by the respondent to the claimant is **£2,307.64**.
9. The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996d not apply to any award in this Judgment.

Note: This has been a remote hearing. The parties did not object to the case being heard remotely. It was not practicable to hold a face to face hearing because of the Covid19 pandemic.

**Employment Judge Shore**

**Date 9 February 2022**

**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.**

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