



EMPLOYMENT TRIBUNALS

Claimant: Miss B Naughton

Respondent: Mrs Maria Nwoji

Heard at: Manchester Employment Tribunal (by CVP)

On: 23-24 March 2022

Before: Employment Judge Dunlop
Ms L Hopley
Ms M Dowling

Representation

Claimant: Mr D Palmer (Friend)

Respondent: Mr R Taylor (Solicitor)

JUDGMENT

1. The claimant was unfairly dismissed by the respondent.
2. There is no Basic Award as the claimant has received a redundancy payment.
3. The respondent must pay the claimant a Compensatory Award of **£1,004.00** which is comprised of the following amounts:
 - 3.1 Loss of earnings (three weeks): £392.40
 - 3.2 Loss of statutory rights: £350.00
 - 3.3 An additional amount of two weeks' pay under s.38 Employment Act 2020 (for payment in respect of a failure to provide a statement of particulars of employment): £261.60
4. The claimant's claim of unauthorised deductions from wages succeeds in part. The respondent must pay the claimant the sum of **£292.76**, reflecting the outstanding amount of underpayment during the period from the commencement of lockdown to the claimant's dismissal.
5. The claimant's claim for payment in respect of accrued untaken annual leave succeeds. The respondent must pay the claimant the sum of **£261.60**, being 10 days' holiday on the basis of 3-hour days.

6. The claimant's claim of disability discrimination was withdrawn at the outset of the hearing and is dismissed upon withdrawal.
7. The claimant's remaining claims, including in respect of notice pay and redundancy pay, do not succeed and are dismissed.
8. The total amount payable by the respondent to the claimant is therefore **£1,558.36**.
9. The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply.

Employment Judge Dunlop

Date: 24 March 2022

SENT TO THE PARTIES ON

21 April 2022

FOR EMPLOYMENT TRIBUNALS

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.

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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2405506/2021**

Name of case: **Miss B Naughton** v **Mrs Maria Nwoji**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 21 April 2022

"the calculation day" is: 22 April 2022

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office