



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss S Oliwkiewicz

**Respondent:** Julia Polski Sklep Ltd

**Heard at:** Cambridge by CVP

**On:** 14 April 2022

**Before:** Regional Employment Judge Foxwell

## Appearances

For the claimant: Mr R Luczak (Claimant's partner)

For the respondent: No Appearance

## REMEDY JUDGMENT

### Rule 21 of the Tribunals Rules of Procedure 2013

1. The Respondent having been dissolved on 8 February 2022, no Order is made in respect of remedy.

## REASONS

1. The claimant, Miss Sara Oliwkiewicz, was employed as a shop assistant by the Respondent, Julia Polski Sklep Limited, between 16 November 2020 and 12 March 2021 when she was dismissed.
2. Having gone through early conciliation, on 18 May 2021 she presented complaints of unfair dismissal, for notice pay, holiday pay and unpaid wages to the Tribunal. The claim of unfair dismissal was rejected because she lacked sufficient qualifying service, but the other claims were accepted and served on the respondent.
3. The respondent failed to enter a response and Employment Judge Tobin granted judgment on liability for the accepted claims under Rule 21 of the Employment Tribunals Rules of Procedure 2013. He directed that a remedy hearing be listed to determine the amounts to be awarded (a Remedy Hearing). The Tribunal's administration sent this judgment to the parties on 27 September 2021.

4. The Remedy Hearing came before me today and the claimant was represented at it by her partner, Mr Rafal Luczak. In an email sent to the Tribunal the day before the hearing, Mr Luczak drew our attention to the fact that the respondent is shown as “dissolved” on the register of companies. The dissolution took place on 8 February 2022.
5. In discussion at the hearing today Mr Luczak mentioned a number of things which, if accurate, suggest that the directors or agents of the respondent may have defrauded the Covid retention scheme operated by the Government and impacted the claimant’s ability to claim benefits following her dismissal. He mentioned that he had reported this to the authorities on more than one occasion. I explained that there was nothing that I could do in that regard.
6. I also explained, and it was clear that Mr Luczak was aware, that I could not make an award of compensation against a company that had been dissolved. Accordingly, I did not enter judgment for a sum in respect of remedy. This is no reflection on the underlying merits of the claimant’s claims.

---

Regional Employment Judge Foxwell

Date: ...14 April 2022 .....

Sent to the parties on: 28/4/2022

N Gotecha

For the Tribunal Office