Case Number: 2602816/2021



EMPLOYMENT TRIBUNALS

Claimant: Respondent:

Mrs M Smith v Turner Bros. Limited (in Creditors' Volunta

v Turner Bros. Limited (in Creditors' Voluntary

Liquidation)

Heard at: Nottingham (via CVP) **On:** 31 March 2022

Before: Employment Judge Fredericks

Appearances

For the claimant: Mr K Thow (lay representative)

For the respondent: Did not attend

CORRECTED JUDGMENT

- 1. The name of the respondent is amended to Turner Bros. Limited (in Creditors' Voluntary Liquidation).
- 2. The claimant's complaint of constructive unfair dismissal succeeds and the respondent must pay her the following awards:
 - a. Basic award: £4,341.36;
 - b. Compensatory award: £13,742.49*.
- 3. The claimant suffered an unlawful deduction of wages and so the respondent must pay her the sum of £180.37.
- 4. The claimant is owed for accrued but untaken holiday and so the respondent must pay her the sum of £547.84.
- The claimant was not provided with any written statement of employment particulars, and it is ordered that the respondent must pay the claimant four weeks' pay in the sum of £723.56 (the higher amount provided by s38 Employment Act 2002).

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- 6. Consequently, the respondent must pay to the claimant the **grand total of** £19,535.62.
- 7. *Explanation of compensatory award:
 - a. £6,150.26 in respect of lost earnings to 25 March 2022;
 - b. £331.13 in respect of lost pension entitlement;
 - c. £4,750.72 in respect of lost future earnings (26 weeks as is considered just and equitable in the circumstances);
 - d. £400.00 in respect of lost statutory rights; and
 - e. £2,110.38, an uplift of 20% to the compensatory award following the respondent's unreasonable failure to follow ACAS codes of practice in relation to grievances raised.

Employment Judge Frederic	ks
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31 March 2022
Sent to the parties on:
24 May 2022
For the Tribunal Office: