



EMPLOYMENT TRIBUNALS

PUBLIC PRELIMINARY HEARING

Claimant: Miss A Legge
Respondents: Perfect Smiles Group Limited (1)
SHQ Holdings Limited (2)
By CVP : 29 June 2022

Before:
Employment Judge JM Wade

Representation

Claimant: In person
Respondents: No attendance.

Introduction: The claimant brought complaints of: unfair dismissal, pregnancy dismissal (Section 18), entitlement to a redundancy payment, holiday pay, notice pay and other payments. An employment judge identified the parties as above at a case management hearing in January 2021, on the basis of the information then provided by the claimant and an HR representative for the respondents, Miss Roddy. She described the companies as part of a “group”. The respondents were directed to set out their position on which was the correct respondent. No ET3s or grounds of resistance have been presented in time or at all. Papers were directed to be sent to both companies, at Miss Roddy’s email address. Those papers received a “bounce back” and accordingly a direction was made and sent on 15 June 2022 to the registered offices of both companies. There was no attendance on behalf of the respondents today. I relayed the companies house information about the two companies on the Tribunal’s file to the claimant and she said that Mr Haroon Ahmed Danis, the director and owner of the second respondent, worked in the salon, albeit using a different name; and that the owner and director of the first respondent was his wife (Ms Begum). In these circumstances, there is sufficient information to determine the claims against the second respondent as likely employer/contravenor of the equality act, without hearing evidence. I do not dismiss the claims against the first respondent in case there is an application to reconsider or set aside this Judgment. Having not heard evidence, but assessed matters on the basis of the information available to me, I have explained to the claimant that information about enforcement is contained within the notes provided with this judgment, and that there may be an application to set aside and/or reconsider the judgment, which will be decided on its merits. The claimant withdrew her redundancy payment claim today after I provided information to her about the legal basis for such a claim. The information on the file includes that the claimant’s salary was £18, 000 a year which equates to a weekly gross pay of £346.

RULE 21 JUDGMENT

Made pursuant to the Employment Tribunal Rules of Procedure

- 1 The claimant's complaint of entitlement to a redundancy payment is dismissed on withdrawal.
- 2 The claimant's unfair dismissal complaint is well founded and the second respondent shall pay to her a Basic Award of £692 and a Compensatory Award (loss of statutory rights only) of £500.
- 3 The claimant's Equality Act complaint (pregnancy related dismissal) succeeds, and the second respondent shall pay to her the sum of £1868.40 in lost earnings, £10, 000 in respect of injury to feelings and interest of £1028.
- 4 The claimant's complaint of unlawful deduction from wages succeeds and the second respondent shall pay to the claimant the sum of 184.62.
- 5 The claimant's complaint of entitlement to holiday pay on the termination of employment succeeds and the second respondent shall pay to her the sum of £1453.83.
- 6 The claimant's complaint of entitlement to notice pay succeeds and the second respondent shall pay to her the gross sum of £692.
- 7 The total sum payable by the second respondent to the claimant is **£16, 418.85.**
- 8 The recoupment regulations do not apply to any of these Awards.

Employment Judge JM Wade

29 June 2022

Sent to the parties on:

6 July 2022