

JUDGMENT



EMPLOYMENT TRIBUNALS

Claimant: DONNA MACKIE

Respondent: JAMES STEVENS LIMITED

HELD AT: BIRMINGHAM REMOTELY BY CVP

ON: 27/06/22 -
28/06/22

BEFORE: EMPLOYMENT JUDGE MANLEY

REPRESENTATION

Claimant: Mr. R. Carey, Lay representative

Respondent: Mr. James Stevens, Director of James Stevens Ltd

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The judgment of the Tribunal is that:

1. The Claimant was unfairly dismissed by the Respondent, contrary to section 94 (1) of the Employment Rights Act 1996. The Tribunal makes an award of compensation to the Claimant for unfair dismissal pursuant to section 112 (4) in the sum of £1,360.32 (including both the basic and compensatory award).

2. The Respondent failed to provide the Claimant with a statement of employment particulars contrary to section 38 (3) of the Employment Act 2002 and it is just and equitable for the higher amount to be added to the Claimant's award being the sum of £837.12.

3. The Respondent failed to give the Claimant the minimum notice period of three weeks prescribed by section 86 of the Employment Rights Act 1996 and thereby acted in breach of contract and made an unlawful deduction pursuant to section 13 of the

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Employment Rights Act 1996. The Respondent is ordered to pay to the Claimant damages, in respect of this breach in sum of £627.84.

4. The Respondent failed to comply with the ACAS code of practice and accordingly the Tribunal find that it is just and equitable to increase the Claimant's award by 25% pursuant to section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992, which amounts to the sum of £497.04.

5. The Respondent is ordered to pay to the Claimant the total of the above sums being the sum of £3,322.32 (gross).

Employment Judge MANLEY
29 June 2022