



THE EMPLOYMENT TRIBUNALS

BETWEEN

Claimant: Mrs D Marshall
Respondent: James Lynn Catering Services Ltd

Heard at: Newcastle Hearing Centre (by CVP) **On:** 1 August 2022

Before: Employment Judge Morris (sitting alone)

Representation:

Claimant: In person
Respondent: Not represented (no response having been received)

JUDGMENT

The Judgment of the Employment Tribunal is as follows:

1. The claimant's complaint that the respondent was in breach of her contract of employment by not giving to her the one week's notice of the termination of that contract to which she was entitled in accordance with both that contract and Section 86 of the Employment Rights Act 1996 is well-founded.
2. In respect of that breach of contract the respondent is ordered to pay to the claimant compensation of £209.56.
3. The claimant's complaint under section 23 of the Employment Rights Act 1996 that the respondent made unauthorised deductions from her wages contrary to section 13 of that Act in that it did not pay her at all in respect of the first and last months of her employment (£650.43 and £864.27 respectively) is well-founded.
4. In respect of the above unauthorised deductions the respondent is ordered to pay to the claimant £1,514.70.
5. The claimant's complaint that, contrary to Regulation 14 of the Working Time Regulations 1998, the respondent had not paid her compensation in respect of

her entitlement to 43.4 hours' paid holiday that had accrued but not been taken by her at the termination of her employment is well-founded.

6. In that respect, the respondent is ordered to pay to the claimant the amount due to her being £386.69.
7. The award referred to at paragraph 1 above has been calculated by reference to the claimant's net pay and any liability for income tax or national insurance contributions shall be the liability of the respondent alone. The awards referred to at paragraphs 4 and 6 above have been calculated by reference to the claimant's gross pay and any liability for income tax or employee's national insurance contributions shall be the liability of the claimant alone.

EMPLOYMENT JUDGE MORRIS

**JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON 3 August 2022**

Notes

Video hearing

This was a remote hearing, which had not been objected to by the parties. It was conducted by way of the Cloud Video Platform as it was not practicable to convene a face-to-face hearing, no one had requested such a hearing and all the issues could be dealt with by video conference.

Reasons

Reasons for the above Judgment having been given orally at the hearing, and no request having been made at the hearing, written reasons will not be provided unless a written request is presented within 14 days of the sending of this written record of the Judgment.

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.