



EMPLOYMENT TRIBUNALS

Claimant:
Ms H Worrell

v

Respondent:
Warehouse Fashions Limited
(in administration)

JUDGMENT

1. The claims for arrears of pay, holiday pay and notice pay succeed.
2. The respondent is ordered to pay the claimant the sum of £1,000 in respect of arrears of pay due to the claimant for the period 1 to 15 April 2020. This is the gross figure due, prior to any payment from the Redundancy Payments Service. Payment of the net sum less any payment by the Redundancy Payments Service may be made, provided tax and national insurance are properly accounted for.
3. The respondent is ordered to pay the claimant the sum of £190.48 in respect of pay for untaken holiday due to the claimant. This is the gross figure due, prior to any payment from the Redundancy Payments Service. Payment of the net sum less any payment by the Redundancy Payments Service may be made, provided tax and national insurance are properly accounted for.
4. The respondent is ordered to pay the claimant the sum of £2,000 by way of damages for breach of notice. This is the gross figure due, prior to any payment from the Redundancy Payments Service. Payment of the net sum less any payment by the Redundancy Payments Service may be made, provided tax and national insurance are properly accounted for.

REASONS

1. The claimant was employed by the respondent, a national British fashion retailer which went into administration on 15 April 2020. The claimant brought an employment tribunal claim making claims for a protective award (for failure to consult), for arrears of pay, holiday pay and for notice pay. The claim was stayed pending consent from the administrators of the respondent.
2. In the ET3 and grounds of resistance presented on 27 September 2021, the administrators of the respondent granted consent for the claimant's claim against the respondent to proceed. The respondent did not contest the

claimant's claim for a protective award; judgment for a protective award was issued dated 28 January 2022.

3. The claimant's pay claims were considered at a hearing by video on 19 July 2022. The claimant did not attend and was not represented. The tribunal accepts the information provided in the claimant's claim form (ET1) that she was not paid for the period from 1 to 15 April 2020, that she was entitled to 4 weeks' notice and that she was not given notice or pay in lieu of notice. The amounts owing are £1,000 in arrears of pay and £2,000 in notice pay. This is the gross figure due, prior to any payment from the Redundancy Payments Service. Payment of the net sum less any payment made by the Redundancy Payments Service may be made, provided tax and national insurance are properly accounted for.
4. The tribunal accepts the information provided in the claimant's claim form that she is entitled to £190.48 in respect of 2 days pay for holiday accrued but untaken at the termination date.

Employment Judge Hawksworth

Date: 5 August 2022

Sent to the parties on: 9 August 2022

For the Tribunal Office

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