



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case No: 4104259/2020

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Mrs Louise Cunningham

Claimant

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Hair Internationale Limited

Respondent

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The Judgment of the Employment Tribunal is that The Rule 21 Judgment of 9 October 2020 is reconsidered on the grounds that the interests of justice requires this, and on reconsideration the Judgment of the Tribunal is as follows;

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(1) the claimant was dismissed in breach of contract and is entitled to damages in respect of notice; respondent is ordered to pay damages to the claimant in the sum of £3,684;

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(2) the claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of £7,859.

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REASONS

1. The claimant presented a claim to the Employment Tribunal on 11 August 2020, claiming a redundancy payment and damages for breach of contract. The claimant was represented by the Inverclyde Advice and Employment Rights Centre when the claim was lodged.
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2. Due to an error on their part, the claimant's agent did not provide correct details for claimant's claimed losses.
3. No response was received to the claim, and the Tribunal issued a Rule 21 Judgment against the respondents on the basis of the information provided.
- 10 4. An application for reconsideration of this judgement was made on the basis that the claimant's agents had provided incorrect information about the calculation of the claimant's claims.
5. The application for reconsideration was not refused, and the parties were invited to make written submissions.
- 15 6. No submissions were received from the respondents, and on the basis of what was said by the claimant's agent in relation to an error in providing information about the claimant's claims, the tribunal was satisfied that it was in the interests of justice to reconsider the Rule 21 Judgment, and to issue a judgement awarding damages for breach of contract, and a redundancy payment based
20 on the correct calculation of the sums claimed.

Employment Judge: Laura Doherty
Date of Judgment: 26 April 2021
Entered in register: 05 May 2021
and copied to parties