



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs Gulbahar Dawson  
**Respondent:** Tunc Limited  
**Heard at:** Watford Hearing Centre  
**On:** 10 October 2022  
**Before:** Employment Judge G Tobin  
**Members:** Ms H T Edwards  
Mr P Hough

## **Representation**

**Claimant:** Mr M Dawson (husband and lay representative)  
**Respondent:** did not attend

# JUDGMENT

The unanimous Judgment of the Employment Tribunal is that: -

1. It was appropriate to proceed with the hearing in the absence of the respondent, under rule 47 of the Employment Tribunal Rules of Procedure 2013. The Tribunal satisfied itself that the respondent had received the notice of hearing, there was explanation for the respondent's non-attendance, no application for a postponement and reasonable enquiries had been undertaken about the reasons for the respondent's absence.
2. Under s13 Employment Rights Act 1996, the claimant was not paid wages for work undertaken between February 2020 and her dismissal on 12 July 2020.
3. The claimant was owed accrued and untaken holiday pay, under regulation 30 the Working Time Regulations 1998.
4. The claimant was dismissed in breach of contract and was owed her notice pay.
5. Pursuant to Part IVA Employment Rights Act 1996, the claimant made a protected disclosure on 3 July 2020.

6. The claimant suffered 1 of the 2 detriments claimed in her Claim Form (i.e. the detriment identified under 4.5.2 of the list of issues)
7. The claimant was automatically unfairly dismissed, in breach of s103A Employment Rights Act 1996.
8. Accordingly, the claimant is awarded compensation as follows:

	£	£
<b>Unpaid wages*</b>		
February 2020	202.68	
March 2020	600.00	
25 May 2020 – 30 April 2020	2,016.00	
July 2020	<u>1,015.00</u>	
		3,833.68
<b>Holiday pay*</b>		1,015.00
<b>Notice pay*</b>		1,820.00
<b>Detriment for making a public interest disclosure</b>		
Injury to feelings		12,000.00
<b>Automatic Unfair dismissal</b>		
Loss of earnings*: 9 weeks @ £420.00		<u>3,780.00</u>
<b>TOTAL</b>		<b>22,448.68</b>

\*These amounts are awarded gross so may be liable for tax and national insurance deduction, as appropriate.

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Employment Judge Tobin  
12/10/2022

JUDGMENT SENT TO THE PARTIES ON

27/10/2022

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FOR THE TRIBUNAL OFFICE

**Note**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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