



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms Joanne Ghattan

**Respondent:** Albion Apparel Group Limited (in voluntary liquidation)

**Heard at:** Nottingham

**On:** 15 November 2022

**Before:** Employment Judge Sharkey

**Representation**

**Claimant:** In person

**Respondent:** Did not attend and was not represented

## JUDGMENT

The judgment of the tribunal is that:

1. The complaint of unauthorised deduction from wages by failing to pay the claimant all the wages due on 30 April 2022 is dismissed on withdrawal by the claimant.
2. The respondent made an unauthorised deduction from wages by failing to pay the claimant in lieu of accrued but untaken holiday and is Ordered to pay to the claimant the sum of **£1,259.12** being the gross sum unlawfully deducted subject to deductions for tax and national insurance.
3. The claimant was unfairly dismissed and is Ordered to pay compensation to the claimant of **£21,958.15** which is comprised of the following:
  - a. Basic award: 13,382.40;
  - b. Compensatory award: 8,575.75\*

\*Explanation of compensatory award:

- a. £6,378.35 in respect of lost earnings until November 2022;
- b. £268.11 in respect of pension loss;
- c. £500.00 in respect of lost statutory rights;
- d. Uplift of 20% following the respondent's unreasonable failure to follow ACAS Code of Practice on disciplinary and grievance procedures

4. The respondent unreasonably failed to comply with ACAS Code of Practice on disciplinary and grievance procedures and consequently the above total figures include an uplift of 20%.
5. The respondent was in breach of contract by dismissing the claimant without the full period of notice to which she was entitled, although this sum is included in the compensation awarded for unfair dismissal, and therefore the respondent is not ordered to pay any further sum to the claimant in respect of that part of the claim.
6. The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 do not apply to the sums I have awarded.

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**Employment Judge Sharkey**

Date: 17 November 2022

FOR THE TRIBUNAL OFFICE

**Yahya Merzougui**

**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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