



EMPLOYMENT TRIBUNALS

Claimant: Ms J Hanson
Respondent: Kalchal Limited

AT A HEARING

Heard at: Leeds by CVP video conferencing **On:** 23rd January 2023
Before: Employment Judge Lancaster

Representation

Claimant: In person
Respondent: No appearance entered, but Mr C Singh attended and was permitted to make representations but not to give or cross-question evidence in the case.

Rule 21 Employment Tribunals Rules of Procedure 2013, upon hearing the evidence of the Claimant at a hearing:

JUDGMENT

1. It was not in all the circumstances reasonably practicable for the claim to have been presented in time and it was presented within a reasonable time thereafter. The claims therefore proceed.
2. The Respondent has made an unauthorised deduction from the Claimant's wages in respect of the last week worked up to 30th April 2022 and is ordered to pay to her the agreed gross sum of £78.40.
3. The Respondent has failed to pay the Claimant for accrued but untaken holiday in the current leave year up to the date of termination, namely that commencing on the anniversary of the start of employment on a date in May 2019, limited to 2 weeks' gross pay namely £156.80.
4. The Respondent is ordered to pay an additional maximum award of 4 weeks' pay pursuant to section 38 of the Employment Act 2002, by reason of the admitted failure to provide a written statement of terms and conditions of employment as required by Part 1 of the Employment Rights Act 1996, namely £313.60.
5. The Claimant was unfairly dismissed on 4th May 2022.
6. The Respondent is ordered to pay to the Claimant a basic award in the sum of £352.80 (calculated on the basis of 3 years continuous employment up to 18th May 2022 when

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the 2 weeks notice to which the Claimant was entitled would have expired, for all of which period she was above the age of 41, namely 3 x 1 ½ week's pay @ £78.40).

7. The Respondent is further ordered to pay to the Claimant compensation for her loss of statutory employment rights in the sum of £200.00.
8. Any further claim for compensation for loss of earnings or other sums flowing from the unfair dismissal is adjourned pending confirmation from the Claimant as to whether or not she is in fact pursuing any such claim, and if so how it is calculated. Such confirmation must be received by no later than 13th February 2023 when further directions shall be given as necessary.

EMPLOYMENT JUDGE LANCASTER

DATE 23rd January 2023

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless 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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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.