



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms Emily Owens

**Respondent:** Seewoo Foods (Greenwich) Limited

**At:** London South Employment Tribunal (remote)

**On:** 8 December 2022

**Before:** Judge M Aspinall (sitting as an Employment Judge)

**Appearances:**

**For the Claimant:** Mr S Harty (of Counsel)

**For the Respondent:** No appearance

## JUDGMENT

1. **Having considered the written evidence and on hearing from the Claimant and Counsel for the Claimant, the Tribunal finds:**
  1. That the claim for unfair dismissal is made out and succeeds; and
  2. That the claim for wrongful dismissal is made out and succeeds; and
  3. That the claim for unpaid, accrued, holiday pay is made out and succeeds; and
  4. That it is declared that the Respondent made unlawful deductions from the wages properly due to the Claimant.
2. The correct Respondent to this claim is Seewoo Foods (Greenwich) Limited and any claims so far as they relate to any other person or organisation are dismissed.
3. The Respondent did not file a response to the claims made by the Claimant and so, by previous direction of Employment Judge Nash, was prevented from participating in the hearing before me, save to any extent that I had been prepared to permit.
4. The Respondent did not, in any event, appear.
5. The Respondent shall, within 14 days, pay the net sum of **£109,363.48**. For the avoidance of doubt, that is the sum payable to the Claimant after the Respondent has made all deductions due for Income Tax and National Insurance.
6. The breakdown of the sum due can be found in Appendix I to this judgment.

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Employment Judge M Aspinall  
Date: 8 December 2022

Sent to the parties on  
Date: 15 December 2022

**PUBLIC ACCESS TO EMPLOYMENT TRIBUNAL DECISIONS**

Judgments and reasons for judgments of the Employment Tribunal are published in full. These can be found online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the parties in a case.

## APPENDIX I

IN THE EMPLOYMENT TRIBUNALS  
CASE NO: 2301901-2022

## BETWEEN

Emily Owens  
AND  
Seewoo Foods (Greenwich) Limited

## CLAIMANT'S SCHEDULE OF LOSS

**1. Details**

Date of birth of claimant	23/08/1978
Date started employment	01/11/2019
Effective Date of Termination	05/01/2022
Period of continuous service (years)	2
Age at Effective Date of Termination	43
Date new equivalent job started or expected to start	31/03/2023
Remedy hearing date	08/12/2022
Date by which employer should no longer be liable	31/03/2023
Contractual notice period (weeks)	13
Statutory notice period (weeks)	2
Net weekly pay at EDT	1,402.96
Gross weekly pay at EDT	2,307.69
Gross annual pay at EDT	120,000.00

**2. Basic award**

Basic award	1,632.00
Number of qualifying weeks (3) x Gross weekly pay (544.00)	
<b>Total basic award</b>	<b>1,632.00</b>

**3. Damages for wrongful dismissal**

Loss of earnings	18,238.48
Damages period (13) x Net weekly pay (1,402.96)	
<b>Total damages</b>	<b>18,238.48</b>

**4. Compensatory award (immediate loss)**

Loss of net earnings	49,243.90
Number of weeks (35.1) x Net weekly pay (1,402.96)	
Plus loss of statutory rights	400.00
Plus loss of pension	0.00

Pension loss	0.00
<b>Total compensation (immediate loss)</b>	<b>49,643.90</b>
<b>5. Compensatory award (future loss)</b>	
Loss of future earnings	22,587.66
Number of weeks (16.1) x Net Weekly pay (1,402.96)	
Plus loss of pension	1,671.89
Less Earning from new business (November 2022 - December 2022)	-2,000.00
<b>Total compensation (future loss)</b>	<b>22,259.55</b>
<b>6. Compensatory award (other statutory rights)</b>	
Holiday pay	220.83
Unlawful deductions	6,032.67
<b>Total compensation (other statutory rights)</b>	<b>6,253.50</b>
<b>7. Adjustments to total compensatory award</b>	
Plus failure by employer to follow ACAS Code @ 25%	19,484.03
<b>Compensatory award before adjustments</b>	<b>78,156.95</b>
<b>Total adjustments to the compensatory award</b>	<b>19,484.03</b>
<b>Compensatory award after adjustments</b>	<b>97,640.98</b>
<b>8. Summary totals</b>	
Basic award	1,632.00
Wrongful dismissal	18,238.48
Compensation award including statutory rights	97,640.98
<b>Total</b>	<b>117,511.46</b>
<b>AFTER COMPENSATION CAP OF £89,493.00</b>	<b>NET £109,363.48</b>