



EMPLOYMENT TRIBUNALS

Claimant: Miss A Harrison

Respondent: Rainhill Ex Services Club

Heard at: Liverpool

On: 27,28,29,30 March
2023

Before: **Employment Judge Aspinall**
Mr R Cunningham
Mrs J Pennie

Representation

Claimant: in person supported by her father

Respondent: Mrs Evans-Jarvis

JUDGMENT

1. The claimant's complaint of automatically unfair constructive dismissal under Section 95(1)(c) and Section 103A Employment Rights Act 1996 succeeds. She was entitled to treat herself as dismissed because of the way she was treated by the respondent on the ground that she had made public interest disclosures.
2. The claimant's complaint that she suffered detriment under section 48 Employment Rights Act 1996 on the ground of her having made protected disclosures succeeds in part. Two of her detriments (being ignored and being denied shifts) were on the ground of her having made disclosures and succeed. The third (being denied rest breaks) was not and fails.
3. Her complaint that she had not been given rest breaks in accordance with the Working Time Regulations 1998 fails. She could not establish the shifts she had worked and in respect of which she had been denied breaks.
4. Her complaint that she had not been provided with payslips in accordance with Section 8 Employment Rights Act 1996 succeeds.

There will now be a remedy hearing and a separate notice of hearing will be sent to the parties.

Employment Judge Aspinall

Date 30 March 2023

JUDGMENT SENT TO THE PARTIES ON

5 April 2023

FOR THE TRIBUNAL OFFICE

Notes

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.

Public access to employment tribunal decisions

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.