



EMPLOYMENT TRIBUNALS

Heard at: Ashford (by video) **On:** 9 August 2023

Claimant: Miss Laura Sladden

Respondent: FLS Corporate Reference Servicing Limited

Before: Employment Judge E Fowell

Representation:

Claimant In Person

Respondent No appearance

JUDGMENT

1. The respondent has failed to submit a response to the claim and so judgment is entered for the claimant.
2. The claimant is entitled to compensation for unfair dismissal in the sum of £1,926.00

REASONS

1. The claims presented are of:
 - (a) unfair dismissal;
 - (b) breach of contract / breach of the Working Time Regulations 1998 in relation to outstanding holiday pay.
2. The claimant accepts that her last day of employment was 28 November 2022. This is the date stated on the claim form. She is therefore entitled to be paid for the holiday entitlement she had accrued by that date but not for any further holiday which might have been accrued had she been given notice.
3. As to her claim of unfair dismissal, the claimant accepts that she was paid her statutory redundancy payment in full. The claimant is nevertheless entitled to compensation for her loss of earnings until she found suitable alternative

employment, providing that she was making reasonable efforts to find such alternative employment. Her new employment began on 31 January 2023 and she does not seek any compensation beyond that date. The tribunal accepts that she made reasonable efforts to find alternative employment during that period.

4. The claimant was paid in full until 31 December 2022 and so it was entitled to be paid one month's net wages, for the month of January 2023, in the sum of £1,926, the figure provided in the claim form.
5. There is also a potential entitlement to an uplift of up to 25% in the event of a dismissal which fails to comply with the ACAS Code of Practice on Discipline and Grievances at work. The claimant was summarily dismissed by letter and so no part of the Code of Practice was complied with. However, the Code of Practice does not apply to dismissals on grounds of redundancy and so no award can be made under this heading. This point was overlooked at the hearing and so this element has to be removed. The total figure for compensation is therefore less than previously announced.

Employment Judge Fowell
Date **09 August 2023**

JUDGMENT & REASONS SENT TO THE PARTIES ON
Date **11 August 2023**

.....
FOR THE TRIBUNAL OFFICE