



EMPLOYMENT TRIBUNALS

Claimant: Mrs L Crichton

Respondent: Mr Baker of Birtley NE Ltd

Heard at: Newcastle Employment Tribunal (remotely by CVP)

On: 22 August 2023

Before: Employment Judge Sweeney

Representation

Claimant: In person (assisted by her friend, Mrs McLellen)

Respondent: No attendance

JUDGMENT

The judgment of the Tribunal is that:

1. The complaint in respect of a statutory redundancy payment under section 163 Employment Rights Act 1996 is well founded and succeeds. The Respondent is ordered to pay to the Claimant a statutory redundancy payment in the sum of **£2,052 (Two thousand and fifty two pounds)**.
2. The complaint in respect of accrued but untaken holiday pay under Regulation 30 Working Time Regulations is well founded and succeeds. The Respondent is ordered to pay to the Claimant the sum of **£380 (Three hundred and eighty pounds)**.
3. The complaint of breach of contract in respect of the failure to give 9 weeks' notice is well founded and succeeds. The Respondent is ordered to pay to the Claimant damages in the sum of **£1,368 (One thousand, three hundred and sixty eight pounds)**.
4. The complaint of unfair dismissal is well founded and succeeds. Pursuant to section 122(4) Employment Rights Act 1996, the Basic Award of £2,052 is reduced to zero by the amount of the statutory redundancy payment. The Tribunal makes no Compensatory Award as the Claimant would have been fairly dismissed with effect from 18 November 2022 and her losses between 14 November 2022 and that date are recovered by the award of damages for wrongful dismissal.

5. The complaint of unlawful deduction of wages in respect of the failure to pay statutory sick pay in the sum of £132.47 is well founded and succeeds. However, the amount due having since been satisfied on behalf of the Respondent and no award is made under section 24 Employment Rights Act 1996.

The total amount to be paid to the Claimant is **£3,800**.

Employment Judge Sweeney

Date: **22 August 2023**