



EMPLOYMENT TRIBUNALS

Claimant: Ms Helena Buckoke

First Respondent: Frozen Fish Design Limited

Second Respondent: Secretary of State for Business and Trade

Heard at: Watford Employment Tribunal

On: 25th September 2023

by: CVP

Before: Employment Judge Clarke (sitting alone)

Representation

Claimant:	Ms Buckoke (in person)
First Respondent:	Did not attend
Second Respondent:	Did not attend

JUDGMENT

- (1) The claim against the Second Respondent is dismissed upon withdrawal.
- (2) The Claimant's claim against the First Respondent for wrongful dismissal (failure to pay contractual notice pay) is well founded. This means her claim succeeds.
- (3) The First Respondent is ordered to pay to the Claimant the **gross sum of £4,644.26** for the breach of contract in respect of notice pay, calculated as follows:

8 weeks' notice at salary of £615.38/wk (gross) = £4,923.04 (gross)
Less
Credit of £278.00 (gross) paid by the Redundancy Payment Service

- (4) The Claimant's claim that the First Respondent had made an unlawful deduction from her wages pursuant to section 13(1) of the Employment Rights Act in respect of unpaid wages prior to her dismissal is well founded. This means that her claim succeeds.
- (5) The First Respondent is ordered to pay to the Claimant the **gross sum of £189.20** in respect of the amount unlawfully deducted, calculated as follows:
- For the period 27/12/22 to 26/01/23: £2,666.67 gross
For 27/09/23 at £123.08 gross/day = £123.08 gross
Total: £2,789.75 (gross)
Less
Credit of £2,600.55 (gross) paid by the Redundancy Payment Service
- (6) The Claimant's claim that the First Respondent failed to make payment in respect of holiday that had accrued but was untaken at termination in breach of contract and/or had made an unlawful deduction from her wages pursuant to section 13(1) of the Employment Rights Act and/or under regulation 14 of the Working Time Regulations 1998 in respect of unpaid holiday pay is unfounded. This means that this part of her claim fails.

Employment Judge L Clarke
Date: 25th September 2023