



EMPLOYMENT TRIBUNALS

Claimant

Mrs Maria Oliveira

v

Respondent

Mach Recruitment Limited

Heard at: Cambridge (in person)

On: 2 and 3 October 2023

Before: Employment Judge M Ord

Appearances

For the Claimants: Mr H Oliveira, Son

For the Respondent: Mr T Wood, Counsel

JUDGMENT

1. The Claimant's complaint that she was not paid sick pay is dismissed on withdrawal.
2. The parties having reached a private agreement in relation to the Claimant's complaint that she was not paid outstanding holiday pay, that claim is dismissed.
3. The Claimant was employed by the Respondent from 18 July 2018 pursuant to a relevant transfer from G-Staff Limited to the Respondent. The date of continuous employment was 8 June 2015.
4. The Claimant was dismissed by the Respondent on (according to her P45) 4 June 2021. This was not communicated to the Claimant until 14 February 2022 when the P45 (dated the previous day) was sent to her.
5. The Claimant was dismissed on the ground of redundancy.
6. The Respondent failed to follow a fair procedure when dismissing the Claimant and the dismissal was therefore unfair.
7. Had the Respondent followed a fair process it was 100% certain that the Claimant would have been dismissed on the ground of redundancy on 30 September 2021.
8. The Claimant was dismissed in breach of contract.

JUDGMENT on REMEDY

1. The parties were able to agree the issue of Remedy and by consent the Claimant is awarded the following sums:-
 - 1.1. A redundancy payment of £3,260.88;
 - 1.2. An award for pension contributions due during the Notice period of £43.48;
 - 1.3. An award for breach of contract in the sum of £2,173.92 (gross).

Total Award payable: £ 5,478.28

6 November 2023

Employment Judge M Ord

Sent to the parties on:
15 November 2023.

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For the Tribunal Office.