



EMPLOYMENT TRIBUNALS

Claimant: Ms E Ahmet
Respondent: Martin James-Lyons Applebee
Heard at: East London Hearing Centre (in public; by video)
On: 25 January 2024
Before: Employment Judge Gordon Walker

Appearances

For the claimant: represented herself, assisted by her cousin Mrs Celebi
For the respondent: did not attend

RULE 21 JUDGMENT

On the available material, a determination could properly be made of the following claims and judgment is therefore issued accordingly.

1. The claim for holiday pay is well founded and succeeds. The respondent must pay to the claimant the sum of £496.54 within 14 days of the date that this judgment is sent to the parties. This figure is £100 less than the figure given at the hearing, as the calculation for the value of holiday pay made to the claimant (7 days at £50.66 per day, was £354.66 and not £254.66 as stated at the hearing).
2. The claim of unauthorised deductions from wages (national minimum wage) is well founded and succeeds. The respondent must pay to the claimant the sum of £272 within 14 days of the date that this judgment is sent to the parties.
3. The claim for a redundancy payment is well founded and succeeds. The respondent must pay to the claimant the sum of £4,275 within 14 days of the date that this judgment is sent to the parties. This figure is less than the figure given at the hearing. This is because the age of the claimant given at the hearing at the time of dismissal (55 years) was wrong, she was actually 54 years at the date of dismissal. This figure was checked after the hearing and the correct figure has been included in the judgment.

4. The respondent failed to give the claimant a contract of employment. An award of two weeks' pay is made (calculated at 16 hours per week at national minimum wage). The respondent must pay to the claimant the sum of £325.76 within 14 days of the date that this judgment is sent to the parties.
5. The claimant was at all material times a disabled person within the meaning of section 6 Equality Act 2010 by virtue of arthritis in her hand. The claimant's dismissal was an act of disability discrimination contrary to section 15 Equality Act 2010. The respondent failed to make reasonable adjustments to accommodate the claimant's return to work from sick leave in June 2023, contrary to sections 20-21 Equality Act 2010. The amount of compensation for disability discrimination will be decided at a hearing on 16 April 2024.
6. The respondent must pay to the claimant the total sum of £5,369.30 within 14 days of the date that this judgment is sent to the parties.

**Employment Judge Gordon Walker
Dated: 26 January 2024**