



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs H L Murphy

**Respondent:** Mr Ben Chick trading as Made to Shine Cleaning

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claim was issued in the Wales Employment Tribunals on 24 September 2023. The respondent has failed to present a valid response on time. The Employment Judge has decided that a determination can properly be made of the claim in accordance with rule 21 of the Rules of Procedure.
2. The complaint in respect of holiday pay is not well founded and is dismissed.
3. The complaint of breach of contract in relation to notice pay is well-founded.
4. The respondent shall pay the claimant **£196.80** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.
5. When the proceedings were begun the respondent was in breach of its duty to provide the claimant with a written statement of employment particulars. There are no exceptional circumstances that make an award of an amount equal to two weeks' gross pay unjust or inequitable. It is not just and equitable to make an award of an amount equal to four weeks' gross pay. In accordance with section 38 Employment Act 2002 the respondent shall therefore pay the claimant **£392.40**.
6. The respondent is ordered to pay the claimant the sum of **£451.00** in respect of a preparation time order.
7. The respondent must pay the claimant **£1037.20** in total.

Employment Judge S Moore  
Date: 5 April 2024

JUDGMENT SENT TO THE PARTIES ON 8 April 2024

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE Mr N Roche