



EMPLOYMENT TRIBUNALS

Claimant: Ms F Williams

Respondent: Crestwood Property Management Limited (In Liquidation)

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Heard at: Southampton (by video)

On: 17 June 2024

Before: Employment Judge Gray

Appearances

For the Claimant: In person

For the Respondent: Did not attend and was not represented

JUDGMENT

Pursuant to Rule 47 of the Employment Tribunals Rules of Procedure (the Respondent's liquidators having confirmed by correspondence dated 21 March 2024 that it would not be attending or taking part in this hearing, having gone into Creditors Voluntary Liquidation on the 22 February 2024):

- The judgment of the tribunal is that the Claimant's complaint of unfair dismissal is well founded and succeeds, and it is declared that the Claimant was unfairly dismissed. The Claimant has not proven a qualifying disclosure as defined in section 43B of the Employment Rights Act 1996.
- For the successful unfair dismissal complaint, the Claimant is awarded the following which the Respondent is ordered to pay to the Claimant:
 - A Basic Award of £5,710 (10 x £571)
 - A Compensatory Award of £9,884.35 made up as follows:

- A shortfall in earnings for 29 weeks (28 October 2022 to 22 May 2023) being £76.12 net a week (£811.80 - £735.68) x 29 = £2,207.48 net.
 - Loss of health insurance benefit valued at £5,200
 - Loss of statutory employment rights of £500
 - A 25% uplift (£7,907.48 x 25%) = £1,976.87
- The Claimant's complaint for accrued but untaken holiday leave when her employment ended succeeds and she is awarded the net sum of **£25,977.60** (being 4 weeks x £811.80 net a week x 8 years as it is accepted the Claimant was not encouraged to take holiday leave while employed) and the Respondent is ordered to pay the same to the Claimant.
 - For failure to provide written particulars of employment the Claimant is awarded 2 weeks pay and the Respondent is ordered to pay the Claimant **£1,142** (2 x £571).

Employment Judge Gray
Dated 17 June 2024

Judgment sent to Parties on
29 July 2024 By Mr J McCormick

For the Tribunal Office

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing, or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>