



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4105556/2022

Held at Aberdeen on 6 January 2023

Employment Judge N M Hosie

Miss M Day

**Claimant
In Person**

Hrafn Shetland Ltd

**Respondent
No Appearance**

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The Judgment of the Tribunal is that:-

1. the claim under s.23 of the Employment Rights Act 1996 is well-founded and the respondent shall pay to the claimant the sum of Nine Hundred and Ninety Pounds (£990) as unlawful deductions from wages;

E.T. Z4 (WR)

2. the claim under Regulation 30(1)(b) of the Working Time Regulations 1998 is well-founded and the respondent shall pay to the claimant the sum of Forty-Four Pounds (£44) as a payment in lieu of annual leave;
- 5 3. the respondent shall pay to the claimant the sum of Three Hundred and Sixty-Eight Pounds and Fifty Pence (£368.50) as damages for breach of contract (failure to give notice of termination of employment); and
- 10 4. the respondent shall pay to the claimant the sum of Seven Hundred and Thirty-Seven Pounds (£737) in respect of the respondent's failure to provide the claimant with a written statement of her terms and conditions of employment.

REASONS

- 15 1. The claimant brought various claims following her summary dismissal from her employment with the respondent on 12 August 2022. Her claim was not defended.
2. On the basis of the terms of the claim form and supporting documentation I
20 am satisfied that the claimant was employed by the respondent Company as a Shop Assistant from 12 July 2021 until 13 August 2022 when she was dismissed summarily.
3. I am satisfied that she is entitled to the following payments:

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Wages

4. The sum of **£990**, comprising 90 hours worked in August 2022 at £11 per hour.

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Holiday pay

5. The sum of **£44.00**, comprising 0.5 days (4 hours) at £11 per hour.

5 **Notice**

6. The claimant was summarily dismissed. She should have been given one week's notice which based amounts to **£368.50**.

Written statement of employment particulars

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7. The claimant was not provided with a written statement of her terms and conditions of employment as she should have been. The award is 2 weeks' pay in respect of this failure which amounts to **£737** (2 x £368.50)

- 15 8. The claimant also advised that she had not received a P60 or P45. The Tribunal does not have authority to order the respondent to issue these.

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Employment Judge: N M Hosie

Date of Judgment : 17 January 2023

Date Sent to Parties: 20 January 2023

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