



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss A Lowry

**Respondents:** 1. Hi Spec Facilities Services PLC  
2. Assist Managed Services Limited

**Heard at:** Manchester

**On:** 28 & 29 June 2017

**Before:** Employment Judge Porter  
Mrs P A Corless  
Mrs S J Ensell

## **Representation**

**Claimant:** In person  
**Respondents:** 1. Mr S Forde, director  
2. Ms L Amartey of counsel

# JUDGMENT

1. The claim of failure to elect representatives within regulation 13 Transfer of Undertakings (Protection of Employment) Regulations 2006 is well-founded.
2. The respondents are jointly and severally liable for the breach of regulation 13.
3. The respondents are ordered to pay to the claimant compensation in the sum of £1,123.20, being 13 weeks pay.
4. The claimant was fairly dismissed. Her claim of unfair dismissal is not well-founded and is hereby dismissed.
5. The claim for breach of contract is not well founded and is hereby dismissed.

6. The claim of unlawful deduction from wages under s13 Employment Rights Act 1996 is not well-founded and is hereby dismissed.

Note

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.

Employment Judge Porter

Date: 30 June 2017

JUDGMENT SENT TO THE PARTIES ON

7 July 2017

FOR THE TRIBUNAL



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: 2404355/2016

Name of case: Miss A Lowry v 1. Hi Spec Facilities Services PLC  
2. Assist Managed Services Limited

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 7 July 2017

"the calculation day" is: 8 July 2017

"the stipulated rate of interest" is: 8%

MR S ARTINGSTALL  
For the Employment Tribunal Office