



THE EMPLOYMENT TRIBUNAL

SITTING AT: LONDON SOUTH

BEFORE: EMPLOYMENT JUDGE MJ DOWNS (sitting alone)

BETWEEN:

Claimant

Ms Mann Ngai

AND

Respondent

Tooting Medical Centre Ltd

ON: 22nd August 2018

APPEARANCES:

For the Claimant: In person

For the Respondent: In person

JUDGMENT

UPON reading the signed contract of employment between the Claimant and Tooting Medical Centre Ltd and the documents submitted by the parties that are on the file

AND UPON hearing sworn evidence from the Claimant and hearing submissions from Ms Farrow on behalf of Tooting Medical Centre Ltd

The unanimous judgment of the Tribunal is that:-

IT IS DECLARED THAT

- (1) The Claimant was an employee of Tooting Medical Centre Ltd
- (2) Ms Emma Farrow is the manager, shareholder (30%) and Company Secretary of Tooting Medical Centre Ltd and engaged and line-managed the Claimant but was not her employer in law

IT IS ORDERED THAT

- (3) Emma Farrow shall be substituted as the Respondent to this claim in favour of Tooting Medical Centre Ltd
- (4) The Claim for breach of contract is well founded (i.e. failure to pay an additional one week's notice pay)
- (5) The Claim for unlawful deduction of wages (failure to pay accrued but not taken annual leave) is well founded
- (6) The Respondent shall pay the Claimant £520

Employment Judge MJ Downs

Date: 22nd August 2018

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.