



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss F Clift

**Respondent:** SL Holmes Ltd

**HELD BY CVP in Sheffield**

**ON: 22 April 2021**

**BEFORE: Employment Judge Little**

## **REPRESENTATION:**

**Claimant:** In person

**Respondent:** Mr C Goddard, Manager

# JUDGMENT

My Judgment is that:-

1. The complaint of unfair dismissal succeeds.
2. The claimant having been dismissed by reason of redundancy was entitled to a redundancy payment. However the payment she has received to date was not calculated correctly.
3. The complaint in respect of holiday pay succeeds.
4. The claimant was wrongfully dismissed because she was given the incorrect period of notice or payment in lieu.
5. The complaint of unauthorised deduction from wages succeeds.
6. The claimant is awarded compensation as set out in the schedule below and further I declare that the remaining balance of redundancy pay to which the claimant is entitled is £448.32.
7. The sums awarded to the claimant are payable to her forthwith by the respondent.

# SCHEDULE

## Unfair dismissal

Loss of earnings for a four week period during which a fair employer would have engaged in consultation – 4 weeks at £237.36 net = £949.44.

Loss of statutory rights £500.

## Wrongful dismissal

Damages in the amount of one weeks' net pay for the balance of notice entitlement £237.36.

Holiday pay - £237.36.

Unauthorised deduction from wages (representing monies withheld on the false premise that payment was only due if expenses had been incurred) - £479.21.

## Redundancy pay

The claimant's correct entitlement to redundancy pay is based upon a calculation of five years' service and a finding that gross weekly pay was £240 hence the overall entitlement is £1200 of which to date the claimant has been paid £751.68 leaving a balance due of £448.32.

## Employment Act 2002 section 38

A lower award of two weeks' pay - £480.

Total is **£3331.69**

Employment Judge Little  
Date 27<sup>th</sup> April 2021