

THE INDUSTRIAL TRIBUNALS

CASE REF: 701/13

CLAIMANT: Deborah Michelle Johnston

RESPONDENT: Stephen Monaghan t/a M-Tranz UK and Ireland

DECISION

The unanimous decision of the tribunal is that the respondent is ordered to pay to the claimant £247.60 notice pay; £134.52 holiday pay; £34.68 arrears of pay and the tribunal finds that the respondent unfairly dismissed the claimant and awards compensation of £4,357.08.

Constitution of Tribunal:

Chairman: Mr B Greene

Members: Mr R Black
Mr B McAnoy

Appearances:

The claimant appeared in person.

The respondent appeared in person.

1. The claimant claimed notice pay, holiday pay, arrears of pay and that she was unfairly dismissed.
2. The title of the respondent was amended to that shown above.
3. The respondent accepted that the claimant was owed notice pay and an amount of holiday pay but did not accept the claimant's amounts. He denied that there were any arrears of pay or that the claimant had been unfairly dismissed and claimed that overpayments made by the respondent to the claimant should be set off against any compensation awarded to the claimant.

4. The tribunal found that the claimant was entitled to notice pay of £247.60; holiday pay of £134.52 and arrears of pay of £34.68. The tribunal also found that the claimant was unfairly dismissed by reason of family reasons and therefore it disapplied the 12 month continuous employment requirement. The tribunal awarded the claimant compensation of £4,357.08 for her unfair dismissal, comprising a basic award of £nil and a compensatory award of £4,207.07 and loss of statutory rights of £150.00. The prescribed period is from 1 February 2013 until 22 July 2013. The prescribed amount is £4,207.07.
5. Oral reasons were given at the hearing for the tribunal's decision.
6. This is a relevant decision for the purposes of the Industrial Tribunals (Interest) Order (Northern Ireland) 1990.

Chairman:

Date and place of hearing: 4 and 22 July 2013, Belfast.

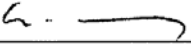
Date decision recorded in register and issued to parties:

**INTEREST NOTICE
INDUSTRIAL TRIBUNALS
INTEREST ON AWARDS IN NON DISCRIMINATION
CASES**

The Industrial Tribunals (Interest) Order (Northern Ireland) 1990 provides that interest shall accrue on a sum of money payable as a result of a decision of an industrial tribunal where that sum remains unpaid in whole or part 42 days after the day the decision of the tribunal was issued to the parties. 'Decision day' in this context means the day the decision of the tribunal was issued to the parties and 'calculation day' means the day immediately after the expiry of the period of 42 days from (and including) the decision day. The 'stipulated rate of interest' is the rate of interest in force on amounts awarded by decree in the county court on the decision day. Interest does not accrue on costs or expenses awarded by the tribunal.

In this claim, please note that -

1. the decision day is 7 August 2013 being the day the decision was sent to the parties;
2. the calculation day is 18 September 2013 being the day immediately after the expiry of the period of 42 days from and including the decision day; and
3. the stipulated rate of interest is 8% being the rate of interest in force on amounts awarded by decree in the county court on the decision day.



Secretary of the Tribunals