

# THE INDUSTRIAL TRIBUNALS

CASE REF: 21765/20

**CLAIMANT:** Paula Marie Synnott

**RESPONDENT:** A Patterson Company Ltd

## JUDGMENT

The unanimous judgment of the tribunal is that the claimant is entitled to payment of the sums set out in the body of this judgment.

### CONSTITUTION OF TRIBUNAL

**Vice President:** Mr N Kelly

**Members:** Ms K Stewart  
Mr J Norney

### APPEARANCES:

**The claimant appeared in person and was unrepresented.**

**The respondent did not attend and was not represented.**

1. The claimant worked for a company known as Fitzpatricks from September 2018 to the end of March 2019. The claimant worked for the named respondent from 1 April 2019 to 28 January 2020.
2. The claimant had therefore consecutive service for only one complete year. She was therefore not entitled to proceed with her claim for statutory redundancy pay and that claim is dismissed.
3. On the basis of the payslips submitted by the claimant and not rebutted by the respondent, the claimant's average weekly pay amounted to £149.71 gross and £147.89 net.
4. The claimant was dismissed in a WhatsApp message without the statutory three step procedure being completed and the tribunal is therefore satisfied that she had been automatically unfairly dismissed. No evidence was submitted by the respondent in relation to the amount of compensation. The claimant was aged 32 years at the date of dismissal.
5. The claimant is awarded one week's basic award amounting to £149.71.

6. The claimant was able to obtain further employment at the end of February 2020 which was then disrupted by Covid. That would have happened in any event with her employment with the named respondent. The tribunal is satisfied that (excluding statutory notice pay – see below) the appropriate compensatory award should be one for four weeks loss of net wages amounting to (£591.56) together with a payment of £250.00 for loss of statutory rights. That amounts to £841.56.
7. The claimant was not given any notice of her dismissal. Given her length of service she was entitled to one week's notice which amounts to £147.89.
8. The claimant's accrued holiday pay at the time of her dismissal was for 10.19 days. The claimant is therefore entitled to a payment of accrued holiday pay of £301.40.
9. The claimant gave evidence that her employer had deducted £60.00 from her wages without any statutory or contractual basis for that deduction. The tribunal is satisfied having considered her evidence that that deduction was an unlawful deduction from wages. The tribunal is further satisfied that the payslips given to the claimant establish that she had made £137.98 in contributions to her pension scheme but that her employer had credited only £106.40 to that pension scheme. The tribunal was therefore satisfied that the balance of £31.58 was another unlawful deduction of wages.
10. The tribunal therefore awards the claimant the following:

(i)	A basic award of	£149.71
(ii)	A compensatory award of	£841.56
(iii)	Notice pay of	£147.89
(iv)	Holiday pay of	£301.40
(v)	Unauthorised deduction from wages of	£ 91.58
11. This is a relevant decision for the purposes of the Industrial Tribunals (Interest) Order (Northern Ireland) 1990.



**Vice President:**

**Date and place of hearing: 26 April 2021, Belfast.**

**This judgment was entered in the register and issued to the parties on:**