



EMPLOYMENT TRIBUNALS

Claimant: Miss H Oakes

Respondent: Worm App Limited

Heard at: Central London

On: 28 September 2018

Before:

Representation

Claimant: In person

Respondent: Not present

JUDGMENT

1. The claimant's claim for unfair dismissal fails and is dismissed on the basis the claimant doesn't have two years continuous service.
2. The claimant's claim for notice pay succeeds. The respondent is ordered to pay to the claimant the gross sum of £973.72.

REASONS

1. The claimant was employed by the respondent on the 20 November 2017 as evidenced by her contract of employment.
2. The claimant's contract confirmed that she was entitled to four weeks' notice in the first two years of the appointment.
3. On the 16 February 2018 the respondent sent the claimant an email notifying her that due to a loss of funding she could no longer be employed and was not required to work her notice.
4. Despite chasing the respondent, the claimant has not received her full notice pay.
5. The claimant showed the Tribunal the three pay slips she has received. Due to an administration error the claimant received her pay for the days she worked in November and for the months in December and January 2018 in her January 2018 pay slip. The gross figure is £6160.23 and the net pay is £4174.29.

6. The claimant then received pay for the days she worked in February 2018 as evidenced in a pay slip dated March 2018.
7. On the 29 March 2018 the claimant received a further payment which was part payment towards her notice pay. This is for £1609.61 gross and £1489.10 net as set out on a payslip dated 29 March 2018.
8. The claimant is entitled to four weeks' notice pay. Four weeks' notice pay amounts to £2583.33 gross. The claimant has received £1609.61 gross pay. Therefore, the claimant is owed £973.72 gross notice pay.
9. The respondent is ordered to pay to the claimant the gross sum of £973.72. The claimant will then be liable for any tax payable on that sum.

Employment Judge A Isaacson

Date 28 September 2018

JUDGMENT SENT TO THE PARTIES ON

1 October 2018

.....
FOR THE TRIBUNAL OFFICE