



THE EMPLOYMENT TRIBUNALS

Between

Claimant: Mrs D Smith

Respondent: Epsom Care Homes Limited

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**in accordance with rule 21 of the Employment Tribunal
Rules of Procedure 2013**

No response having been presented in form ET3 to the office of the Employment Tribunal by the Respondent within the time limit prescribed by rule 16 of the Employment Tribunal Rules of Procedure 2013 it is **adjudged** as follows:

Liability only

The Claimant having brought a claim to the Tribunal under article 3 of the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 the Tribunal finds that the Respondent was in breach of contract in not giving the Claimant notice of the termination of her employment.

The Tribunal declares in accordance with regulation 30 of The Working Time Regulations 1998 that the complaint of the Claimant that the Respondent has failed to pay holiday pay due to the Claimant on the termination of the employment under regulation 14(2) of such Regulations is well founded.

The Tribunal finds that the complaint by the Claimant under section 111 Employment Rights Act 1996 that the Claimant was unfairly dismissed is well founded.

That the Tribunal will consider remedies for the Claimant at the hearing listed for **23 October 2018**

Employment Judge John Crosfill

Dated 27 September 2018