EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4103410/2018

Employment Judge: Ms M Robison

Miss L de Jongh	**Claimant**
IBA Recruitment Ltd	**Respondent**

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

The judgment of the Employment Tribunal is that the claimant`s complaint(s) of (a) unfair dismissal (b) failure to pay holiday pay (c) unlawful deduction from wages and (d) breach of contract (notice pay) succeed and that the respondent shall pay to the claimant the sum of:-

(a) Eight Hundred and Ninety Two Pounds Fifty Pence (£892.50) in respect of redundancy pay.

(b) Two Hundred and Ninety Seven Pounds and Fifty Pence (£297.50) in respect of holiday pay.

(c) Seven Hundred and Sixty Five Pounds (£765.00) in respect of unpaid wages.

(d) One Thousand, One Hundred and Ninety pounds (£1,190) in respect of notice pay.

REASONS

1. A copy of the claim form setting out the claimant`s complaint(s) was sent to the respondent on 21 March 2018.

2. In accordance with the terms of Rule 16 of the Rules to be found in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 the respondent was required to enter a response within twenty-eight days of the date on which a copy of the claim was sent to it but failed to do so.

3. The Employment Judge decided that on the available material a determination could properly be made without a hearing as to the liability of the respondent for the claim.

4. On the basis of the available material the Employment Judge decided she could properly determine remedy as follows:-

   (a) In respect of the claimant's complaint of unfair dismissal by reason of redundancy. The respondent shall pay to the claimant the sum of £892.50

   (b) In respect of the claimant's complaint of unlawful deduction of wages. The respondent will shall pay to the claimant the sum of £465.00, relating to 90 hours unpaid wages at £8.50 per hour.

   (c) Failure to pay holiday pay, the respondent shall pay the sum of £297.50, based on one week's holiday pay at £8.50 per hour.

   (d) In respect of the claimant's complaint of breach of contract, the respondent shall pay the sum of £1,190, representing notice pay for 4 weeks' notice at £8.50 per hour.

Employment Judge:	Muriel Robison
Date of Judgement:	10 May 2018
Entered in register:	11 May 2018
And copied to parties	

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