



EMPLOYMENT TRIBUNALS

Claimant: Ms H Schärf

Respondent: D of Y (GH) Ltd

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay to the claimant the gross sum of £637.95.
2. The respondent is ordered to pay to the claimant the sum of £1,232 (4 weeks' pay) pursuant to Section 38 of the Employment Act 2002 (failure to provide a statement of particulars of employment).
3. The claimant's complaint of unfair dismissal is dismissed. As she had not been continuously employed by the respondent for at least 2 years, the Tribunal has no jurisdiction to hear it.
4. The claimant's complaint seeking damages for breach of contract (notice pay) is dismissed. The claimant has, by immediately obtaining alternative employment, fully mitigated her losses.
5. The hearing listed on 21 January 2020 is cancelled.

Employment Judge Maidment

Date: 3 January 2020