



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Respondents

AND

Ms C Jackson-Lee

Mr David Smith (1)
DBS Property Solutions Ltd (2)

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Birmingham

ON 13th January 2021

EMPLOYMENT JUDGE A Richardson

Representation

For the Claimant: In person

For the Respondents: no attendance

JUDGMENT

The Judgment of the Tribunal is that:

- (1) The Claimant was employed between 26th August 2018 and 24th July 2019 by DBS Property Solutions Limited.
- (2) The Claimant's claim for automatic unfair dismissal under S104(1)(a) Employment Rights Act 1998 is well founded.
- (3) The Claimant's claim for breach of contract is well founded.
- (4) The Claimant's claim for unlawful deduction from wages under S23 Employment Rights Act 1998 is well founded.
- (5) The Claimant's claim for holiday pay under S30 Working Time Regulations 1998 is well founded.
- (6) It is just and equitable to make an award of 4 weeks' pay under S38 Employment Act 2002.

- (7) It is just and equitable to uplift the award by 25% under S207(A) TULRC(A) 1992.
- (8) The Respondent DBS Property Solutions Limited is ordered to pay the Claimant the sum of **£4,414.16 (four thousand four hundred and fourteen pounds and sixteen pence)** the calculation for which is set out on the attached schedule.

Notes:

- (1) Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.
- (2) Public access to employment tribunal decisions Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employmenttribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Employment Judge Richardson

Signed on 18 January 2021

Claimant: Ms C Jackson-Lee
Respondent: DBS Property Solutions Ltd (2)

Schedule of award calculations

Period the claimant was employed: 26th August 2018 to 24th July 2019.

Hours: 16 hours per week between 26th August 2018 and 24th July 2019.

Rate of pay: between 26th August 2018 until 5th July 2019 was £7.80;
 between 5th July 2019 and 24th July 2019, the hourly rate was £8.50 per hour.

Weekly pay gross: at £7.80 per hour - £124.80
 At £8.50 per hour - £136

Claimant's dob 24th February 1996
 Age at dismissal 23 years

Basic Award

1 Year x factor of 1 x £136.00	£136.00
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Compensatory Award For automatic unfair dismissal under S104(1)(a) Employment Rights Act 1996

15.5 weeks from Effective Date of Termination
 Of 24th July 2019 until commencement of
 Employment on 11th November 2019

15.5 weeks x £136 per week	£2108.00	
Less notice pay	<u>136.00</u>	
		£1972.00

S38 Employment Act 2002 (S207(A) TULRC(A) 1992)

Failure to provide particulars of employment
 4 weeks pay at £136 per week

	£544.00
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Unlawful deduction from wages S23 Employment Rights Act 1996

w/c 22 nd July 2019 12 hours @ £8.50 p.h.	£102.00
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Notice pay

1 week's notice at £136.00 per week £136.00

**S30 Working Time Regulations 1998
Holiday pay**

Total entitlement to holiday pay 80.8 hours
Calculated at 77.1 hours @£7.80 ph
Between 26th Aug 2019 - 5th July 2019 £601.38

4.7 hours @ £8.50 p.h. £39.95 £641.33

TOTAL £3,531.33

Acas UPLIFT OF 25% £ 882.83

GRAND TOTAL **£4,414.16**
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