



EMPLOYMENT TRIBUNALS

Claimant

Respondent

MRS S HAYWARD

v

RUSH HAIR LIMITED

Heard at: London Central (by video)

On: 1,2,3 and 4 June 2021

Before: Employment Judge P. Klimov, sitting alone

Representation

For the Claimant: Ms B. Balmelli (of Counsel)

For the Respondent: Mr R. Holst (lay representative)

This has been a remote hearing which was not objected to by the parties. The form of remote hearing was by Cloud Video Platform (CVP). A face to face hearing was not held because it was not practicable due to the Coronavirus pandemic restrictions and all issues could be determined in a remote hearing.

JUDGMENT

1. The Claimant was unfairly dismissed by the Respondent.
2. The Respondent must pay to the Claimant compensation for unfair dismissal to be determined at a remedy hearing (if not agreed by the parties) to be listed by the Tribunal on a first available date.
3. The Claimant's compensatory award shall be determined taking into account the following findings:
 - (i) When the Respondent closed for business due to the national lockdown in March 2020, the Claimant would have been put on furlough at 80% of her salary, subject to the maximum of £2,500 per month;
 - (ii) When the Respondent re-opened for business in July 2020, the Claimant would have returned to work as a stylist;
 - (iii) The Claimant would not have been made redundant in October 2020;
 - (iv) When the Respondent closed for business due the second lockdown in November 2020, the Claimant would have been placed on furlough

on the same terms as in March 2020 until the Respondent re-opened for business.

4. The Respondent was in breach of contract by dismissing the Claimant without notice and must pay to the Claimant damages for breach of contract to be determined at a remedy hearing (if not agreed by the parties) to be listed by the Tribunal on a first available date.
5. By 11 June 2021, the parties must write to the Tribunal stating whether a remedy hearing is required, and if so, giving their dates to avoid from 1 August to 31 December 2021.

**Employment Judge P Klimov
4 June 2021**

Sent to the parties on:

04/06/2021

For the Tribunals Office

Notes

Reasons for the judgment having been given orally at the hearing. Written reasons have been requested by the Respondent at the end of the hearing, in accordance with Rule 62(3) of the Rules of Procedure 2013 and will be provided in due course.

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Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant (s) and respondent(s) in a case.