

# FAIR EMPLOYMENT TRIBUNAL

CASE REFS: 2/13 FET  
36/13

**CLAIMANT:** Elena D'ignoti

**RESPONDENTS:** Jonathan Nabi and Nicola McIntyre  
trading as The Courtyard Tea Room, Beauty Spa and  
Gallery Shop

## DECISION

1. The claimant's claim of unfair dismissal is dismissed following its withdrawal by her in open Tribunal.
2. The unanimous decision of the Tribunal in respect of the other claims before it is set out *at Paragraph 1 below*.

### Constitution of Tribunal:

**Chairman:** Mr D Buchanan

**Members:** Mr H Stevenson  
Mrs M Heaney

### Appearances:

**The claimant appeared in person assisted by an interpreter.**

**The respondents were represented by Mr J Nabi.**

- 1(i) The claimant's claims of unlawful discrimination on the grounds of race and religious belief, and in respect of unlawful deductions from her wages, are dismissed.
- (ii) The Tribunal finds that the respondents failed to give the claimant written particulars of her contract of employment, but makes no Order under Article 27 or 28 of the Employment (Northern Ireland) Order 2003.
- (iii) The Tribunal finds that the respondents failed to give the employee an itemised pay statement in respect of September 2012.

It therefore:-

- (a) makes a declaration to that effect; and
- (b) orders that the respondents pay to the claimant the sum of £111.28, being the aggregate of unnotified deductions made.

2. Reasons for the decision were given at the hearing.
3. This is a relevant decision for the purposes of the Fair Employment Tribunal (Interest) Order (Northern Ireland) 1992.

**Chairman:**

**Date and place of hearing: 2 – 4 July 2013, Belfast**

**Date decision recorded in register and issued to parties:**

**INTEREST NOTICE  
INDUSTRIAL TRIBUNALS  
INTEREST ON AWARDS IN NON DISCRIMINATION  
CASES**

The Industrial Tribunals (Interest) Order (Northern Ireland) 1990 provides that interest shall accrue on a sum of money payable as a result of a decision of an industrial tribunal where that sum remains unpaid in whole or part 42 days after the day the decision of the tribunal was issued to the parties. 'Decision day' in this context means the day the decision of the tribunal was issued to the parties and 'calculation day' means the day immediately after the expiry of the period of 42 days from (and including) the decision day. The 'stipulated rate of interest' is the rate of interest in force on amounts awarded by decree in the county court on the decision day. Interest does not accrue on costs or expenses awarded by the tribunal.

In this claim, please note that -

1. the decision day is 8<sup>th</sup> August 2013 being the day the decision was sent to the parties;
2. the calculation day is 19<sup>th</sup> September 2013 being the day immediately after the expiry of the period of 42 days from and including the decision day; and
3. the stipulated rate of interest is 8% being the rate of interest in force on amounts awarded by decree in the county court on the decision day.

  
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Secretary of the Tribunals