



## EMPLOYMENT TRIBUNALS

Claimant

**Mrs A M Brooke**

v

Respondent

**Portare Online Ltd**

## HEARING

**Heard at: Sheffield On: 29 January 2019**

**Before: Employment Judge Brain**

**Representation:**

**Claimant: In Person**

**Respondent: No attendance or representation – appearance not entered**

## JUDGMENT

The Judgment of the Employment Tribunal is that: -

1. The claimant's complaint of constructive unfair dismissal succeeds. The respondent shall pay to the claimant: -
  - 1.1. A basic award in the sum of £660.00
  - 1.2. A compensatory award for the loss of the statutory right not to be unfairly dismissed in the sum of £330.00Total unfair dismissal award - £960.00
2. The respondent made an unlawful deduction from the claimant's wages. Accordingly, the respondent shall pay to the claimant the sum of £2,855.34 being the amount of the unlawful deduction (that being the net sum owed to the claimant).
3. The claimant was entitled to holidays accrued due but untaken at the effective date of termination of the contract of employment. She is therefore entitled to compensation for untaken holidays in the sum of £255.66 (that being the net sum due).
4. The respondent failed to comply with its obligation to provide the claimant with a statement of employment particulars pursuant to its obligations in Part I of the Employment Rights Act 1996. Accordingly, the respondent shall (pursuant to

section 38 of the Employment Act 2002) make a payment to the claimant of £880.00 being 4 weeks' gross pay.

5. The total sum of £4,951.00 shall be paid by the respondent to the claimant within 14 days of the date upon which this Judgment is sent to the parties.

**Employment Judge Brain**

DATE: 14 February 2019

Note - 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.

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