



# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**

**Respondent**

**AND**

Ms E Cook

Dial a Carer (South West) Ltd

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**HELD AT** Bristol **ON** 25<sup>th</sup> February 2021

**EMPLOYMENT JUDGE** A Richardson

### Representation

**For the Claimant:** Mr L Kenealy, Solicitor

**For the Respondent:** no attendance

## JUDGMENT

### The judgment of the Tribunal is that

- (1) The Claimant's claim of constructive unfair dismissal is well founded.
- (2) The Respondent is ordered to by the Claimant the gross sum of £8640.05, a breakdown of which is on the appendix hereto.
- (3) The Claimant must account to HMRC for PAYE deductions.

Notes 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. Public access to employment tribunal decisions Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employmenttribunal-decisions](http://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

Date: 25 February 2020

Judgment sent to Parties: 09 March 2021

FOR THE TRIBUNAL OFFICE

APPENDIX

The claimant's date of birth 5<sup>th</sup> December 2017  
Date of commencement of employment with the respondent 17<sup>th</sup> November 2017  
Date of dismissal 1<sup>st</sup> January 2020  
Age at dismissal 42  
Number of years of continuous employment 2 years  
Gross annual income with respondent £27,045.20  
Gross weekly wage with the respondent £520.10  
Gross weekly wage with Lanhydrock Care £274.63  
Date of commencement of alternative employment with Lanhydrock Care 29<sup>th</sup>  
January 2020  
Weekly gross loss between former employment with respondent and alternative  
employment with Lanhydrock Care £245.63

Basic award

2 complete years' service = 2.5 x £520.10 1300.25

Compensatory award

Statutory notice 2 weeks at £520.10 1040.20

Two weeks loss of earnings

15<sup>th</sup> - 29<sup>th</sup> January 2020 1040.20

20 complete weeks with weekly loss

Of £245.63 4909.40

Loss of statutory rights

350.00

7339.80

GRAND TOTAL

**£8,640.05**

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RECOUPMENT PROVISIONS DO NOT APPLY