



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs J Quinn  
**Respondent:** The Yorkshire Deli & Pizza Bar Limited  
**Heard at:** Leeds via CVP (video link)    On: 15 March 2021  
**Before:** Employment Judge Cronin

## Representation

**Claimant:** Mrs Y Goouge, lay representative  
**Respondent:** Mr Christian Lawlor

This has been a remote hearing which neither party objected to. The form of remote hearing was CVP (video link) (V). A face to face hearing was not held because it was not practicable and all issues could be determined in a remote hearing

## JUDGMENT

The judgment of the Employment Tribunal is that:

1. The Claimant's claim for unfair dismissal under s98 of the Employment Rights Act 1996 (the "**ERA**") is well founded and succeeds. The Respondent is ordered to pay to the Claimant:
  - a. a basic award of £400; and
  - b. a compensatory award of £279.05. The Tribunal deducted monies previously advanced by the Respondent to the Claimant and decided that a 50% reduction in the compensatory award shall be made under the principles in *Polkey v A E Dayton Service Limited* [1988] ICR 142.
2. The recoupment provisions do not apply to the unfair dismissal award.
3. The Claimant is awarded 2 weeks' pay under Section 38 of the Employment Act 2002, because she received no initial statement of particulars of employment from the Respondent (as required under s1 of the ERA). The Respondent is ordered to pay the sum of £400.

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4. The Tribunal declares that the respondent has made unauthorised deductions from wages under s13 of the ERA in respect of the claimant's accrued holiday pay on termination of employment. The respondent is ordered to pay the claimant the sum of £317.00 (gross).

Employment Judge Cronin  
Date: 15 March 2021