



## EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**

Mrs T Wright

**Respondent**

The Oxford Aviation Club Limited

and

**Hearing held at Reading on:**

30 April 2018

**Appearances:**

**For the Claimant:**

Mr J Bromige, counsel

**For the Respondent:**

Did not attend and not represented

**Employment Judge:**

Mr SG Vowles (sitting alone)

## JUDGMENT

### Attendance

1. The Respondent failed to attend or to be represented at the hearing. The Employment Judge was satisfied that the Respondent was served with a copy of the notice of hearing and had chosen not to attend or to be represented. The Tribunal decided to proceed with the hearing in the absence of the Respondent.

### Evidence

2. The Tribunal heard evidence on oath from the Claimant and read documents provided by her. It also read the Respondent's ET3 response form presented on 11 August 2017.

### Notice Pay – Breach of Contract – article 3 Employment Tribunals Extension of Jurisdiction (E&W) Order 1994

3. The Claimant was owed notice pay and is awarded **£1,289.80** (4 week's pay at £322.45 per week) in compensation.

### Holiday Pay – regulation 30 Working Time Regulations 1998

4. The Claimant was owed holiday pay and is awarded **£80.61** (½ day's pay at £161.23 per day) in compensation.

### Unauthorised Deduction from Wages - section 13 Employment Rights Act 1996

5. The Claimant was owed wages and is awarded **£2,418.37** (7½ week's pay at £322.45 per week) in compensation.

**Unnotified Deductions from Wages - section 12(3) and (4) Employment Rights Act 1996**

6. This claim was withdrawn at the hearing.

**Breach of Contract – article 3 Employment Tribunals Extension of Jurisdiction (E&W) Order 1994**

7. The Claimant was owed expenses and the Tribunal awarded **£32.57** in compensation.

**Unreasonable Failure to Comply with ACAS Code of Practice – section 207A Trade Union and Labour Relations (Consolidation) Act 2002**

8. The Respondent unreasonably failed to comply with the ACAS Code of Practice on Grievances and the Tribunal awarded **£955.33** (25% of £3,821.35) in compensation.

**Failure to Give Statement of Employment Particulars - section 38 Employment Act 2002**

9. The Respondent failed to give a statement of employment particulars in breach of the duty under section 1 Employment Rights Act 1996 and the Tribunal awarded **£769.20** (2 week's pay at £384.60) in compensation.

**Total Award**

10. The total of the above awards is **£5,545.88** and the Respondent is ordered to pay this sum to the Claimant.

**Reasons – rule 62 of Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013**

11. Reasons for this judgment were given orally at the hearing. Written reasons will not be provided unless a written request is presented within 14 days of the date this judgment is sent to the parties.

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Employment Judge Vowles

30 April 2018

Judgment sent to the parties on

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for the Tribunal Office