



EMPLOYMENT TRIBUNALS

Claimant: Ms M Gavasso Rita

Respondent: Butterfly Food Limited

Heard at: London Central Employment Tribunal (by CVP)

On: 10 January 2023

Before: Employment Judge Keogh

Representation

Claimant: Mr M Benedetti (lay representative)

Respondent: Did not attend

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claim was issued on 27 July 2021 and the respondent failed to present a valid response on time. A determination of the claim was therefore made in accordance with Rule 21 of the Rules of Procedure.
2. The claimant was dismissed by reason of redundancy and is entitled to a statutory redundancy payment of £923.08 (£461.54 gross salary per week x 2 weeks)
3. The claimant was dismissed in breach of contract in respect of notice and the respondent must pay damages to the claimant of £738.46 (£369.23 net per week x 2 weeks)
4. The respondent has unlawfully deducted payments in respect of holiday pay and must pay the claimant £4,135.38 (£369.23 net x 11.2 weeks)
5. The respondent has unlawfully deducted payments in respect of furlough pay and must pay the claimant £7,680 (£640 net x 12 months)

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Employment Judge Keogh

10 January 2023

JUDGMENT SENT TO THE PARTIES ON

10/01/2023

FOR THE TRIBUNAL OFFICE

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/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.