



EMPLOYMENT TRIBUNALS

Claimant: Mrs L. Lucas

Respondent: (1) Harp Commercial Interiors Ltd (in creditors' voluntary liquidation)
(2) Secretary of State for Business Energy and Industrial Strategy

Heard at: East London Hearing Centre (in public by CVP)

On: 5 July 2023

Before: Employment Judge Massarella

Representation

Claimant: Did not attend and was not represented

Respondents: Did not attend and were not represented

JUDGMENT

Upon determining that the Claimant was given notice of dismissal by reason of redundancy on 31 October 2022 and that her employment terminated on 4 November 2022, the judgment of the Tribunal on liability is that: -

1. the First Respondent made an unauthorised deduction from the Claimant's wages by failing to pay the Claimant in respect of the period worked by her during her notice period between 1 and 4 November 2022;
2. the Claimant was dismissed in breach of contract (failure to pay notice pay);
3. the Claimant's claim in respect of unpaid holiday pay was not pursued at the hearing and is dismissed.

The judgment of the Tribunal on remedy is that:

4. there is no entitlement to any further award in relation to the unauthorised deduction from wages claim, the Insolvency Service

having already made a payment to the Claimant in respect of arrears of pay for the period 1-4 November 2022;

- 5. in respect of the breach of contract claim, the Claimant is entitled to one month's pay (£2,560.18 gross), less the sum already paid to her by the Insolvency Service in relation to the four days worked during her notice period (£361.85), and the sum already paid to her in relation to notice pay (£417.32); the Tribunal makes an award in the amount of £1781.01 gross;**
- 6. the Tribunal declines to award an ACAS uplift.**

**Employment Judge Massarella
Date: 5 July 2023**