



EMPLOYMENT TRIBUNALS

Claimant: Mrs Candace Scott

Respondents: (1) Novo Construction Limited (in liquidation)
(2) Novo Contractors Limited

Heard at: Bury St Edmunds **On:** 21 – 22 May 2018

Before: Employment Judge Brown

Representation

For the Claimant: In person

For the Respondents: (1) No response entered
(2) Mr Daniel Taylor, Director

JUDGMENT

- 1) It is hereby declared, by consent of the Claimant and the Second Respondent, that there was a relevant transfer of the Claimant's employment from the First Respondent to the Second Respondent on 1 August 2017.
- 2) The Claimant's application to amend her claim to complain that the Respondents failed to inform and consult pursuant to regulation 15, Transfer of Undertakings (Protection of Employment) Regulations 2006 is refused.
- 3) The Claimant's application to amend her claim to complain that her dismissal was unfair pursuant to s. 104, Employment Rights Act 1996 is refused.
- 4) The Claimant's application to amend her claim to pursue a claim of breach of contract against the Second Respondent in respect of unpaid commission is granted.
- 5) In breach of contract, the Second Respondent has failed to pay, and shall pay, to the Claimant the sum of £17,149.45.
- 6) The Claimant's complaint that she suffered unauthorised deductions from her wages is dismissed.

- 7) It is hereby declared that the Second Respondent unfairly dismissed the Claimant.
- 8) The Second Respondent shall pay to the Claimant a basic award of £1,956.
- 9) The Second Respondent shall pay to the Claimant a compensatory award of £10,752.84.

Employment Judge Brown, Bury St Edmunds
22 May 2018

JUDGMENT SENT TO THE PARTIES ON

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FOR THE SECRETARY TO THE TRIBUNALS

Reasons for the judgment having been given orally at the hearing, and no request for written reasons having been made at the hearing, written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.