



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

**Ms L Grego**

**v**

**(1)  
(2)**

**Susan Jane Chapman  
Stephen Robert Knight  
T/A The Albion Hotel**

**Heard at:** Norwich

**On:** 13 June 2018

**Before:** Employment Judge Postle

**Appearances**

**For the Claimant:** Miss S Davenport, Solicitor.

**For the Respondent:** No response entered.

## JUDGMENT ON REMEDY

1. The respondents are ordered to pay to the claimant the total sum of £9,391.20 compensation.
2. The respondents are ordered to pay a contribution towards the claimant's costs assessed at £1,000.00.
3. Recoupment applies to the award for the period 4 January 2018 and ending on 22 March 2018.

## REASONS

1. This remedy hearing follows a rule 21 judgment pursuant to the Employment Tribunal Rules of Procedure 2013 following the respondent's failure to enter a response.
2. Judgment dated 26 March 2018 was entered against the respondent in respect of the claimant's unfair dismissal, breach of contract and outstanding holiday pay accrued at the time of her dismissal.
3. The claimant had been employed from 1 March 2007 until she was dismissed by text message on 1 June 2017. The claimant was employed in the capacity as a bar manager. At this morning's hearing she gave evidence on

oath through a prepared witness statement. There was also a schedule of loss which had been prepared by Miss Davenport on the claimant's behalf. The claimant's gross pay with the respondents amounted to £178.50 per week which was for 21 hours at an hourly rate of £8.50. Normal nett weekly pay was £175.92.

4. Given the claimant's period of employment and the claimant's date of birth of 16 September 1981 her age at the date of dismissal was 35, and she is therefore entitled to 10 weeks gross pay amounting to £1,785.00 in respect of a basic award.
5. The claimant obtained full time permanent employment from 2 April 2018 and therefore her losses cease at the stage. In the intervening period she had short term temporary employment amounting to a total sum of £2,173.44.
6. Therefore, the compensatory award is 45 weeks at £175.22 equating to £7,916.40, the claimant gives credit for the temporary income derived in the intervening period of £2,173.44. That gives an immediate loss of £5,742.96.
7. The claimant's dismissal was by text, without any warning, investigation or procedure leading up to and including disciplinary and therefore in accordance with the ACAS Code of Practice the claimant is entitled to 25% uplift in the compensatory award given the total failure by the respondents to follow any procedure whatsoever. That amounts to £1,435.74 and in addition to the above, the claimant is entitled to loss of statutory rights at £300.00. Outstanding holiday pay, annually 20 hours holiday pay at £8.50 equates to £170.00 less holiday pay received of £42.50 gives a balance from the respondents of £127.50.
8. The total award payable including basic award and uplift is £9,391.20 payable forthwith. The award is subject to recoupment by the Benefits Agency for the period 4 January 2018 to 22 March 2018.
9. In respect of the claimant's legal costs, given the respondent's total failure to take these proceedings seriously or engage in the process, the respondents are ordered to pay a contribution towards the claimant's costs totalling £1,000.00.

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Employment Judge Postle

Date: .....

Sent to the parties on: .26.07.18.....

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For the Tribunal Office