



EMPLOYMENT TRIBUNALS

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To: Bowood Farms Ltd
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Northamptonshire
NN11 6LW

Date 25 June 2015

Case Number: 3400708/2015

Claimant

Miss J Zandarska

v

Respondent

Bowood Farms Ltd

EMPLOYMENT TRIBUNAL JUDGMENT

A copy of the Employment Tribunal's judgment is enclosed. There is important information in the booklet 'The Judgment' which you should read. The booklet can be found on our website at www.justice.gov.uk/tribunals/employment/claims/booklets

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

The Judgment booklet explains that you may request the employment tribunal to reconsider a judgment or a decision. It also explains the appeal process to the Employment Appeal Tribunal. These processes are quite different, and you will need to decide whether to follow either or both. **Both are subject to strict time limits.** An application for a reconsideration must be made within 14 days of the date the decision was sent to you. An application to appeal must generally be made within 42 days of the date the decision was sent to you; but there are exceptions: see the booklet.

The booklet also explains about asking for written reasons for the judgment (if they are not included with the judgment). These will almost always be necessary if you wish to appeal. You must apply for reasons (if not included with the judgment) within 14 days of the date on which the judgment was sent. If you do so, the 42 day time limit for appeal runs from when these reasons were sent to you. Otherwise time runs from the date the judgment was sent to you or your representative.

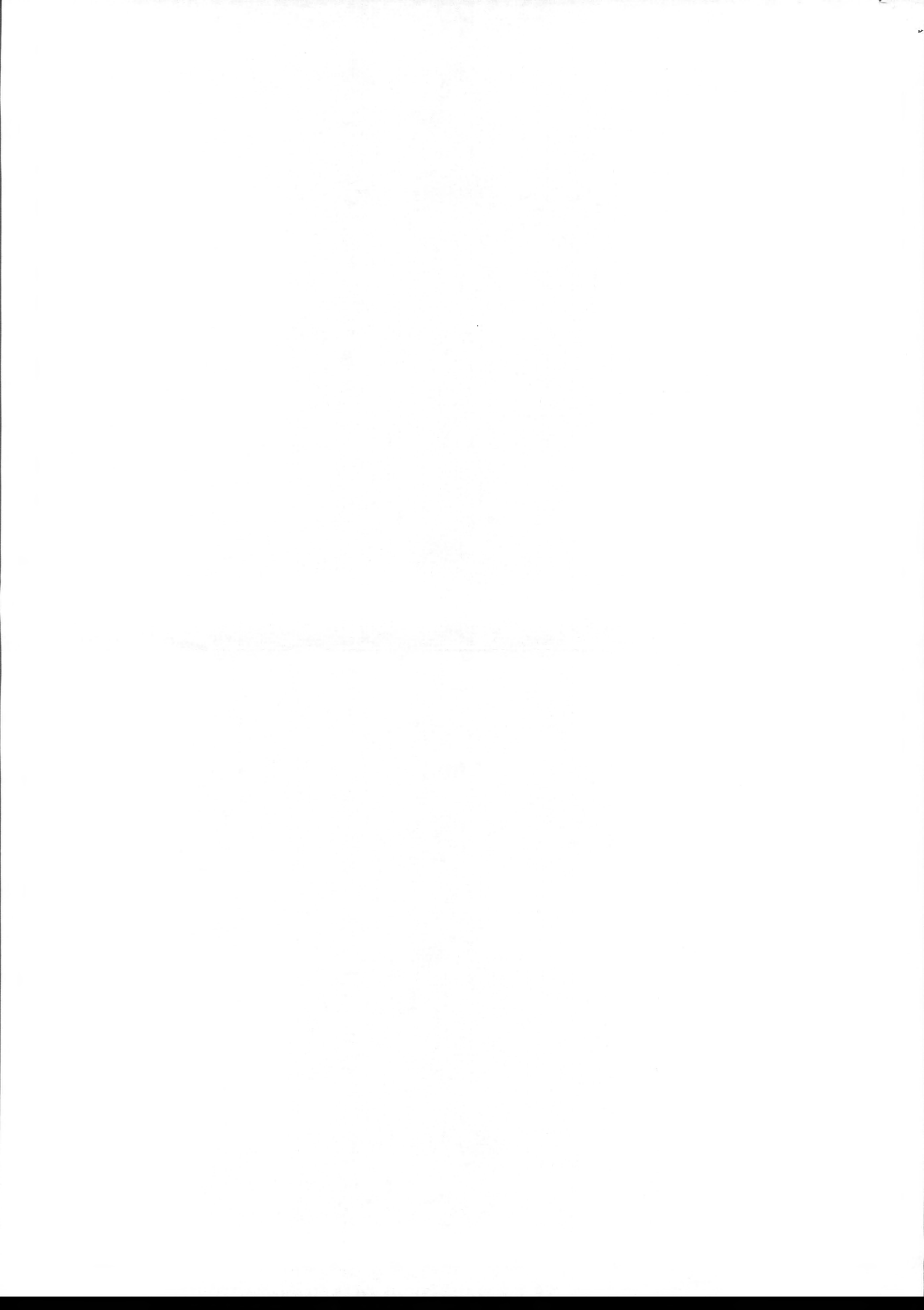
For further information, it is important that you read the Judgment booklet. You may find further information about the EAT at –

www.justice.gov.uk/tribunals/employment-appeals

An appeal form can be obtained from the Employment Appeal Tribunal at: Employment Appeal Tribunal, Second Floor, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX or in Scotland at 52 Melville Street, Edinburgh EH3 7HS.

Yours faithfully,

LISA TULLY
For the Tribunal Office





EMPLOYMENT TRIBUNALS

Claimant: Miss J Zandarska

Respondent: Bowood Farms Limited

HEARD AT: HUNTINGDON

ON: 19th June 2015

BEFORE: Employment Judge Ord

REPRESENTATION

For the Claimant: Mr A Sierant, Lay Representative

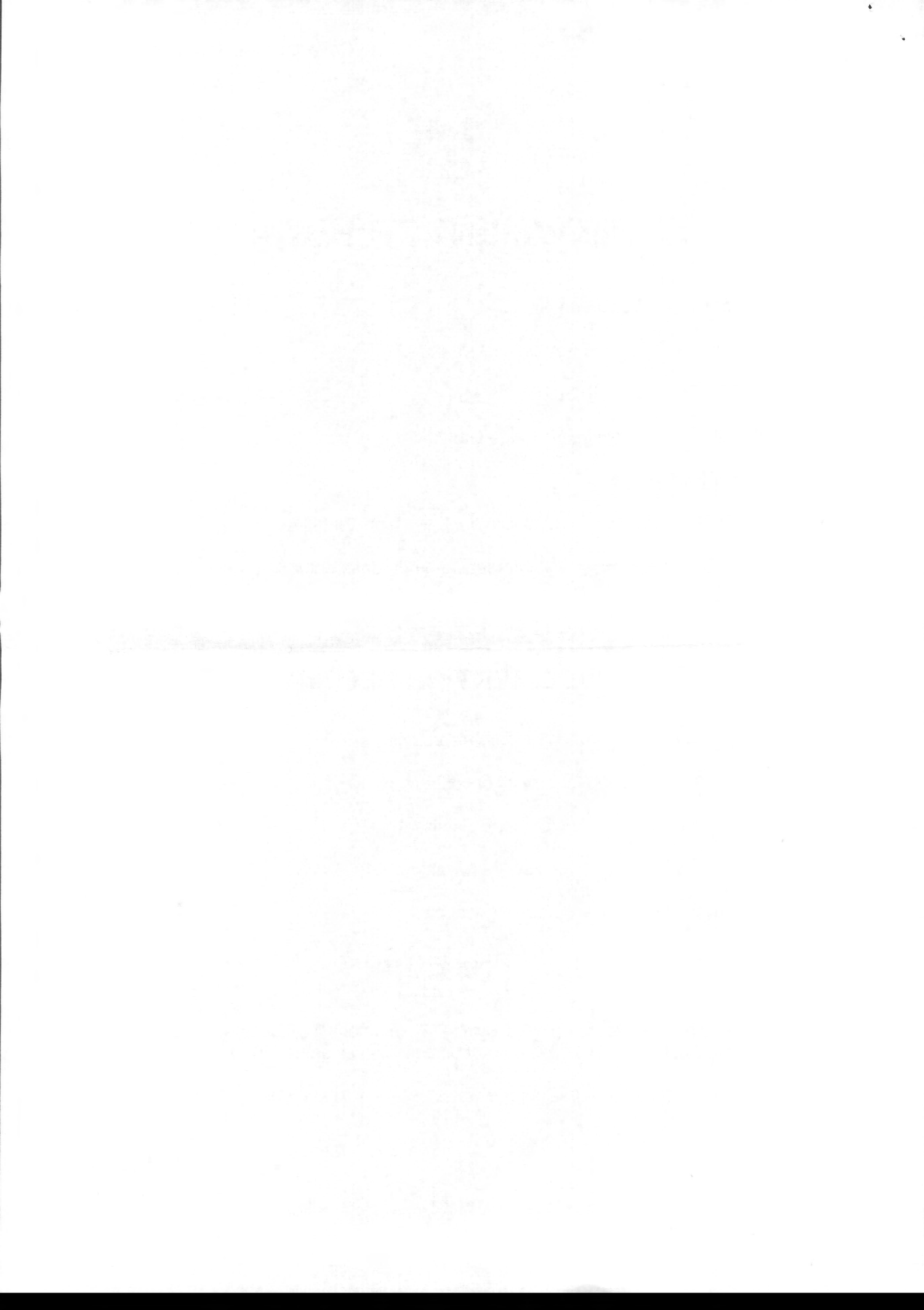
For the Respondent: Not present and not represented

JUDGMENT ON REMEDY

1. The Claimant is awarded the following sums:
 - 1.1 £321.96 for breach of contract
 - 1.2 £10,673.66 for unfair dismissal
 - 1.3 Making a total award payable of **£10, 995.62**.
2. The recoupment provisions do not apply.

REASONS

1. The Claimant was employed by the Respondent from 7th September 2012 until 6th January 2015. Her date of birth is 15th December 1979.
2. Her average gross weekly wage was £163.49, £160.98 net.



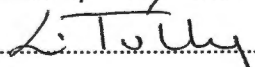
3. The Claimant was employed for two complete years and was entitled to two weeks pay in lieu of notice. Based on her average weekly net pay that amounts to £321.96.
4. The Claimant was employed for two complete years and was under the age of 41 throughout the period. She is entitled to a Basic Award of $(2 \times 1) \times £163.49 = £326.98$.
5. The Claimant has made efforts to obtain work. She now lives in Thirsk where her husband works at the local branch of Austin Reed, Tailors. She has registered with agencies and has made applications for work. She believes that it will take a further period before she can secure work and estimates that this will take not less than six months. Given the time since the date of dismissal I award the Claimant future loss of earnings based on a further 26 weeks loss. There is no criticism of the Claimant's attempts at mitigation.
6. Accordingly, her Compensatory Award is made up as follows:
 - 6.1 Loss to date 21.5 weeks \times £160.98 = £3,461.07
 - 6.2 Future loss 26 \times £160.98 = £4,185.48
 - 6.3 Loss of statutory rights £500
 - 6.4 Total £8,473.53
7. Adding the Basic Award gives a total award for unfair dismissal of £8,800.51.
8. The Respondents failed to comply with the ACAS Code of Practice. The manner of dismissal was such that no procedure whatsoever was followed and the Claimant claims that her dismissal was because of a claim brought by her husband against the same Respondent. On that basis I consider it appropriate to award the maximum 25% uplift for breach of the ACAS Code of Practice. That amounts to £2,200.13.
9. Accordingly, the total award for unfair dismissal is £10,673.66.


25 June 2015

Employment Judge Ord, Huntingdon

JUDGMENT SENT TO THE PARTIES ON

25/06/2015



FOR THE SECRETARY TO THE TRIBUNALS

