



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs Kathryn McKeown

**Respondent:** PMM Hotels Limited

**Heard at:** Nottingham

**On:** 10 September 2020

**Before:** Employment Judge Rachel Broughton (Sitting alone)

## Representatives

**Claimant:** In Person

**Respondent:** No Attendance

## JUDGMENT

The unanimous judgment of the Tribunal is as follows:

1. The complaint of “automatic” unfair dismissal for asserting a statutory right under section 104 Employment Rights Act 1996 fails and is dismissed
2. The complaint of “ordinary” unfair dismissal under section 98 Employment Rights Act 1996 is well founded. The claimant was unfairly dismissed.
3. It is not appropriate to make any deduction from the basic and compensatory awards.
4. The Respondent shall pay to the claimant a basic award of gross pay of **£1,458**
5. The Respondent shall pay to the claimant a compensatory award (including sum for loss of statutory rights of £450 and ACAS uplift of 20%): **£16,095.22**
6. The Recoupment Regulations apply:

**The Prescribed period** :14 October 2019 to 10 September 2020

**Prescribed Element** (compensatory award less sum for loss of statutory rights):

**Total: £15,645.22**

**Balance:** (the amount by which the monetary awards exceed the Prescribed Element) **£1,908**

Employment Judge Rachel Broughton

Date: 10 September 2020

JUDGMENT SENT TO THE PARTIES ON

.....  
AND ENTERED IN THE REGISTER ON

Note

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.

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