



EMPLOYMENT TRIBUNALS

Between

Mr S C Mallery

Claimant

and

Cromptons Genuine Spares LLP

Respondent

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

in accordance with rule 21 of the Employment Tribunal Rules of Procedure 2013

No response having been presented in form ET3 to the office of the Employment Tribunal by the Respondent within the time limit prescribed by rule 16 of the Employment Tribunal Rules of Procedure 2013 it is **adjudged** as follows:

The Claimant having brought a claim to the Tribunal under article 3 of the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 the Tribunal finds that the Respondent was in breach of contract in not giving the Claimant notice of the termination of the employment and **orders** the Respondent to pay to the Claimant the sum of £1,730.76;

The Tribunal declares in accordance with regulation 30 of The Working Time Regulations 1998 that the complaint of the Claimant that the Respondent has failed to pay holiday pay due to the Claimant on the termination of the employment under regulation 14(2) of such Regulations is well founded and **orders** the Respondent to pay to the Claimant the sum of £749.97;

The Tribunal finds that the complaint by the Claimant under section 111 Employment Rights Act 1996 that the Claimant was unfairly dismissed is well founded. The Tribunal **orders** the Respondent to pay compensation to the Claimant in the sum of £1,857.63 the whole of which is the compensatory award under section 123 of that Act. The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 do not apply to this award.

The question of the Claimant's right to a redundancy payment having been referred to the Tribunal in accordance with section 163 Employment Rights Act 1996 the Tribunal finds that the Claimant is entitled to a redundancy payment amounting to £2,307.68 and the Tribunal **orders** the Respondent to pay such sum to the Claimant.

The Tribunal **orders** in accordance with rule 76(4) that the Respondent do pay to the Claimant the Tribunal fee incurred by the Claimant in the sum of £250.

Case No: 2302720/2016

The hearing listed for 16 March 2017 is vacated.

Employment Judge Baron

26 January 2017