



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Jonczyk

**Respondent:** Eniti Limited

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claims in the claim form succeed.
2. The Respondent is ordered to pay to the Claimant the total sum of £9396.11 calculated as set out in the Schedule below
3. The hearing listed on 21 August 2017 is cancelled

### SCHEDULE

Claimant's weekly average wages:

- £436.58
- £556.33

Age at effective date of dismissal – 40 years' old

Employed from 01.05.2015 until 16.01.2017.

Notice pay equivalent to 1 week's pay in accordance with s.86 Employment Rights Act (ERA) 1996	£436.58
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Failure to provide particulars of employment pursuant to s.1 ERA entitles Claimant to the compensation under s.38 Employment Act 2002 – 4 x gross weekly pay	£2225.33
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Unpaid holiday pay – 01.05.2016 to 30.04.2016 = 5.6 weeks	£2444.84
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Unpaid holiday pay – 01.05.2016 to 16.01.2017 = 260 days in employment = entitlement to 3.99 weeks £1741.95

Unfair dismissal basic element – s.119 ERA 1996 – over 1 full year in employment = 1 x gross weekly pay £556.33

Compensatory element for unfair dismissal – s.123 ERA £1991.08

(difference in salary comparing to the Claimant’s current employment (£360.00 net per week) for the period of 26 weeks = £76.58 x 26)

**TOTAL £9396.11**

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Employment Judge **Laidler**  
Date: 22 June 2017

JUDGMENT SENT TO THE PARTIES ON

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AND ENTERED IN THE REGISTER

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FOR THE TRIBUNAL OFFICE