



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr D Nejad

-v-

**Maypole Fryer Ltd
(In Voluntary Liquidation)**

FINAL MERITS HEARING

Heard at: **Centre City Tower, Birmingham**

On: **31 January 2018**

Before: **Employment Judge Perry** (sitting alone)

Appearances

For the Claimant:

in person

For the Respondent:

no appearance

JUDGMENT

1. The claimant was wrongfully and unfairly dismissed on 20 March 2017. The respondent also failed to pay to the claimant wages (including a tax rebate in the sum of £1,000.00) and holiday pay.
2. The respondent shall pay to the claimant the following sums:-
 - 2.1 **Breach of contract - the failure to give notice** £980.00
(2 (statutory) weeks' notice in the sum of £490.00 net)
 - 2.2 **Basic Award (Unfair Dismissal)** £1,437.00
(a week's pay capped at £479 x multiplier: 3)
 - 2.3 **Compensatory Award (Unfair Dismissal)** £21,713.00
(loss of rights: £480 plus 10 months net pay at £490 net p/wk: £21,333)
 - 2.4 **Holiday Pay** £1,089.00
(1.57 wks: 25 February to 4 March 2017 incl.) at £693 p/wk)
 - 2.5 **Wages** £3,871.00
(for the weeks ending respectively 18 and 25 February, 11, 18 & 20 March 2017; £1,693, £693, £495, £693, £297)
3. The Employment Protection (Recoupment of Jobseekers Allowance & Income Support) Regulations 1996 apply; the claimant was in receipt of universal credit. The monetary award is £23,150.00. The amount of the prescribed element is £21,333.00. The period to which the monetary award is attributable is 21 March 2017 to 31 January 2018. The amount by which the monetary award exceeds the prescribed element is £1,917.00.

**Employment Judge Perry
31 January 2018**

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.