



EMPLOYMENT TRIBUNALS

Claimant: Mrs T E Gallagher

Respondent: Trustees of Chester and Ellesmere Port Independent Advocacy

HELD AT: Liverpool **ON:** 8 March 2018

BEFORE: Employment Judge T Vincent Ryan

REPRESENTATION:

Claimant: Litigant in person

Respondent: absent

JUDGMENT

The judgment of the Tribunal is that:

1. The claimant's claim that the respondent failed to pay to her wages due to the date of termination of employment on 29 September 2017 is dismissed on having been withdrawn by the claimant.

2. The following claims made by the claimant against the respondent, which the respondent has confirmed it does not wish to defend, are well-founded and succeed and in respect of each the respondent shall pay to the claimant the award indicated as follows:-

- (1) It is declared that the claimant was unfairly dismissed by the respondent by reason of redundancy. There is no award made separate to those set out below.
- (2) The claimant was entitled on termination of employment to receive a redundancy payment and the respondent has failed to make such payment. The respondent is ordered to pay to the claimant the sum of £5,868 in respect of statutory redundancy pay.
- (3) The respondent failed to pay to the claimant holiday pay that had accrued due at the effective date of termination of employment in circumstances where two weeks' holiday pay was due at the rate of £380.15 per week. The respondent is ordered to pay to the claimant the sum of £760.30 in respect of accrued but unpaid holiday pay.

- (4) The respondent breached the claimant's contract with regard to notice pay in circumstances where she was entitled to eight weeks' notice and her net weekly pay was £380.15. The respondent is ordered to pay to the claimant the sum of £3,041.20 in respect of its breach of contract.
3. The grand total of the awards made against the respondent and in favour of the claimant is £9,669.50. The recoupment provisions do not apply.

Employment Judge T Vincent Ryan

Date: 08.03.18

JUDGMENT SENT TO THE PARTIES ON

13 March 2018

FOR THE TRIBUNAL OFFICE

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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2423562/2017

Name of Mrs TE Gallagher v Chester And Ellesmere
case(s): Port Independent
Advocacy

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 13 March 2018

"the calculation day" is: **14 March 2018**

"the stipulated rate of interest" is: 8%

MR I STOCKTON
For the Employment Tribunal Office