



EMPLOYMENT TRIBUNALS

Claimant 1: Mr. L. Gant
Claimant 2: Mr. C. Macey
Respondent: Westfield Construction(South West) Limited

Heard at: Bristol **On:** 21st and 22nd November 2018

Before: Employment Judge R. Harper

Representation

Claimant: Mr. Woodward
Respondent: Mr. Barzotelli

JUDGMENT

The respondent is ordered to pay to the claimants the sums below in relation to all the claims shown which succeed:

Mr. Gant

1. The claim for unfair dismissal succeeds but no compensation is awarded.
2. Award under S. 38 Employment Act 2002 **£ 3,452.12**
3. Holiday pay **£831.60**
4. Statutory redundancy pay **£ 10,758**
5. Notice pay **£7,796.28**

Total **£ 22,838.00**

Mr. Macey

1. Unlawful deductions from wages **£300**
2. Award under S. 38 Employment Act 2002 **£ 2184.24**
3. Holiday pay **£ 599.50**
4. The claim for unfair dismissal succeeds but no basic award is made as a separate order for a redundancy payment is made below. Only one element of the compensatory award is made namely for loss to date. Recoupment applies. The prescribed period is 30th March 2018 until 30th April 2018 and the compensation for that period is **£1918.59** – the prescribed amount. In relation to the compensation for unfair dismissal therefore there is no excess of award over the prescribed amount. If the whole amount payable is considered and the **£1918.59** deducted then the excess of award over the prescribed period is $(19750.87 - £1918.59) = £ 17,832.28$
5. Notice pay **£ 5213.04**

6. Statutory redundancy pay **£ 9535.50**

Total £ 19,750.87

Employment Judge R. Harper

Date 22nd November 2018