



EMPLOYMENT TRIBUNALS

Claimant: Mr W Turner

Respondent: Northern Hearing Services Limited

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

The respondent having stated in its response that it did not defend the claimant's claims, it is the judgment of the tribunal that:

1. The claimant's claim for a redundancy payment is well – founded and succeeds. The claimant was employed from 6 January 1997 until he was dismissed on 20 April 2018, at age 37. His weekly gross wage was £300. Whilst he was employed for in excess of 20 years, statutory redundancy payments are capped at 20 years of service. The claimant's redundancy entitlement is accordingly:

17.5 x £300

£5,250.00

which sum the respondent is ordered to pay him.

2. The claimant's complaint of unauthorised deduction from wages is well-founded and succeeds. The respondent unlawfully deducted payments due to the claimant for the last week of his employment, in the sum of £300.00, gross, £273.59 net. The respondent is ordered to pay the claimant the said sum of **£273.59**. This is a net sum, and the respondent shall account to HMRC for the appropriate deductions for tax and national insurance.
3. The claimant's complaint of breach of contract is well-founded and succeeds. The claimant is entitled to 12 week's notice, at £300.00 per week, a total of £3,600.00, gross, £3,283.08 net. The claimant, however, received benefits during the notice period of, in total, £2,143.62. The amount of the award is accordingly **£1,139.46**, which is a net sum, and the respondent shall account to HMRC for the appropriate deductions for tax and national insurance.

4. the net daily rate of £54.72) in respect of 8.4 days untaken but accrued holiday (holiday pay). This is a net amount and the respondent shall be responsible for accounting to HMRC for the appropriate deductions for income tax and employee's national insurance relating to it.
5. The hearing listed for 16 August 2018 is cancelled.

Employment Judge Holmes

Dated: 8 August 2018

JUDGMENT SENT TO THE PARTIES ON

9 August 2018

AND ENTERED IN THE REGISTER

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FOR THE TRIBUNAL OFFICE

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2411389/2018**

Name of **Mr W Turner** v **Northern Hearing Services Limited**
case(s):

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: **9 August 2018**

"the calculation day" is: **10 August 2018**

"the stipulated rate of interest" is: **8%**

MRS L WHITE
For the Employment Tribunal Office

