



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4103010/2018

Employment Judge: Ian McPherson

Mr Marek Lochowski

Claimant

Kerr Transport (Scotland) Ltd

Respondent

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

The judgment of the Employment Tribunal is that the claimant`s complaints of

- (a) Unfair dismissal;
- (b) Failure to pay notice pay; and
- (c) Failure to pay holiday pay;

All succeed.

The Remedy to which the claimant is entitled will be determined at a Hearing.

REASONS

1. A copy of the claim form setting out the claimant`s complaints was sent to the respondent on 6 March 2018

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2. In accordance with the terms of Rule 16 of the Rules to be found in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 the respondent was required to enter a response within twenty eight days of the date on which a copy of the claim was sent to them but failed to do so.
3. The Employment Judge decided that on the available material a determination could properly be made without a hearing as to the liability of the respondent for the claim but not in the respect of the remedy.
4. The remedy to which the claimant is entitled for the claim will be determined by an Employment Judge at a Hearing.
5. Notice of Remedy, Hearing will follow up under separate cover.
6. Within 14 days of issue of this Judgment, the claimant will lodge a detailed schedule of loss, and supporting vouching documents, to show the amounts being claimed from the respondent for each successful head of complaint, and the amount of statutory uplift they thought under Section 207A, TULRCA 1992 for respondents' unreasonable failure to follow the ACAS Code of Practice.

Employment Judge:	G I McPherson
Date of Judgement:	27 April 2018
Entered in register:	01 May 2018
And copied to parties	