



EMPLOYMENT TRIBUNALS

Claimant

Respondents

Miss D Flawn

- v
1. Cycle Specific Limited
(in creditors' voluntary liquidation)
 2. Tri Specific Limited
 3. Dylan Morris t/a Tri Specific

Heard at: Nottingham

On: 23 January 2019

Before:

Employment Judge K Ayre

Appearances

For the Claimant:

In person

For the Respondent :

Mr W Haines, Employment Consultant

JUDGMENT

1. The claimant was employed by the third respondent, namely Dylan Morris trading as Tri Specific. The claims against the first and second respondents are dismissed.
2. By agreement the third respondent is ordered to pay to the claimant the sum of £153 in respect of unpaid pension contributions.
3. The claimant was unfairly dismissed by the third respondent.
4. No compensation is due to the claimant in respect of her unfair dismissal. The claimant has been paid a redundancy payment so no basic award is payable. There was a 100% chance that the claimant would have been dismissed had a fair redundancy procedure been followed. Accordingly, the compensatory award is reduced by 100% pursuant to Polkey.
5. There was no breach of regulation 13 of TUPE by the respondent. The claim for a protective award fails.

Employment Judge Ayre

Date: 4 February 2019

Note: *Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.*