



EMPLOYMENT TRIBUNALS

Claimant: Mr J Roman
Respondent: Cibus Bar and Restaurant Ltd
(t/a Ceno Restaurant) In Creditors Voluntary Liquidation.

Heard at: Southampton **On:** 20 February 2019

Before: Employment Judge Hargrove

Representation

Claimant: Ms Fitzgibbon of Counsel
Respondent: No attendance by or on behalf of the respondent.

JUDGMENT

Upon Hearing evidence from the claimant supported by a witness statement, and translated by Miss A Ray, Interpreter in Polish, it is adjudged as follows:

1. The claimant's claim of unfair dismissal is well-founded and the claimant is entitled to a basic award/redundancy payment of £6692.90 calculated in accordance with Section 221 (2) of Employment Rights Act. (13.5 weeks x £495.77); and a compensatory award of £350 for loss of statutory rights), which sums the respondent is ordered to pay.
2. The claimant's claim for breach of contract in respect of notice pay is well-founded and the respondent is ordered to pay £3618.81 to the claimant (9 weeks x £402.09 net).
3. The claimant's claim for unpaid holiday accrued during a period of sickness absence from September 2016 to 20 March 2018 (in accordance with *Plumb v Duncan Print Group Ltd* 2016 ICR p. 125) in the sum of £3216.80, (40 days x £80.42 per day), and accruing during his unpaid notice period from 20 March 2018 in the sum of £321.68 (4 days x £80.42) is well-founded, and the respondent is ordered to pay it.

Employment Judge Hargrove
Dated: 20 February 2019