



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr P Reekie

**Respondent:** Jmac Solutions (Recruitment) Limited

## JUDGMENT ON RECONSIDERATION

### Employment Tribunals Rules of Procedure 2013 – Rule 21

Having reconsidered the judgment sent to the parties on 10 September 2018 in accordance with the provisions of Rule 70, 71 and 72(2) and 72(93) I consider a hearing is not necessary and is in the interests of justice to conduct a reconsideration. I confirm my original judgment and vary it in accordance with paragraph 1.5 that follows. The respondent is ordered to pay to the claimant the following sums.

- 1.1 Unpaid wages in the sum of £2,750.
- 1.2 Seven weeks' notice pay in accordance with the terms of clause 12.11 of the claimant's contract of employment in the sum of £5,105.
- 1.3 Unused holiday pay entitlement in accordance with the provisions of clause 8.8 of the contract of employment in the sum of £1,458.
- 1.4 Commission earned by the claimant in the course of his employment and outstanding at the date of termination of his employment in the sum of £3,000.
- 1.5 The claimant is entitled to redundancy payment in the sum of £1,467.

## REASONS

1. On 13 March 2018 the claimant presented claims against the respondent whose address is 80 Hugh Street Edgware Middlesex HA8 7 EJ claiming unpaid wages, notice pay, holiday pay, commission and a redundancy payment. The proceedings were served on the respondent at 80 High Street

Edgware and a response was due by 20 April 2018. No response was received from the respondent. In response to a request from the Tribunal the claimant provided a copy of his contract of employment and full details of how the sums claimed are calculated. In accordance with Rule 21 I made a judgment in favour of the claimant in the sums set out above save for 1.5.

2. On 10 September 2018 the judgment was sent to the parties and the respondent ordered to pay the claimant unpaid wages, notice pay, holiday pay and commission.
3. Following the promulgation of that judgment on 13 September 2018 the claimant's solicitors wrote to the Tribunal pointing out that no mention had been made in the judgment of the claim for a redundancy payment. Having reconsidered the claimant's witness statement and the particulars of complaint presented with the claim form it is clear that the claimant did pursue a claim for redundancy payment. It is also clear that the redundancy payment remains due and outstanding as confirmed in the claimant's witness statement dated 8 June 2018.
4. Accordingly, I vary the judgment sent to the parties on 10 September 2018 in the terms set out above.
5. My reasons for granting the reconsideration application are that it is in the interests of justice to do so and that the redundancy payment claimed by the claimant remains due and owing to the claimant.

---

Regional Employment Judge Byrne

Date: 14.11.18.....

Sent to the parties on: ..14.11.18.....

.....  
For the Tribunal Office