



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

AND

Respondent

Mr L Carty

All Nations Day Centre CIC

HELD AT Birmingham

ON 20th and 21st May 2019

EMPLOYMENT JUDGE Choudry

Representation:

For the claimant: Mr N Kennan - Counsel

For the respondent: Mr J Gilbert - Consultant

JUDGMENT

1. The claimant's claims for automatically unfair dismissal and wrongful dismissal are well founded and succeed.
2. The respondent concedes that it failed to provide the claimant with a statement of terms and conditions of employment and that it failed to pay the claimant any holiday pay.
3. The respondent is ordered to pay to the claimant compensation in the sum of £4,240.50 in accordance with the attached Annex.
4. The Recoupment Regulations do not apply.
5. The respondent is also ordered to pay the claimant costs in the sum of £1,560.

Employment Judge Choudry
22 May 2019

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Annex

Date of birth: 05/03/55
Date employment started: 02/06/2017
Effective date of termination: 19/01/2018
Age at Effective date of termination: 62 years

Gross weekly pay: £142.50

Net weekly pay: £142.50

Compensatory Award*

The claimant seeks 6 months losses £3,420

Failure to provide a statement of terms and conditions

Awarded at 2 weeks:

2 x 142.50 £ 285

Holiday pay*

Amount of holidays accrued up to EDT : 19.6 days £ 150

Sub total £3,855

10% uplift pursuant to s.207A of TULR(C)A £385.50

Total compensation payable £4,240.50

***potentially taxable payments**