



## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4120219/2018**

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**Held in Glasgow on 11 January 2019**

**Employment Judge: Susan Walker (sitting alone)**

10 **Miss S Kerr**

**Claimant**  
**Represented by:**  
**Mrs M Stewart -**  
**Colleague**

15 **Cloutie Dumpling Ltd t/a Taste**

**Respondents**  
**No response**

### **JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

The Judgment of the Tribunal is that:

- 20 1. The claim for a redundancy payment succeeds and the respondent is ordered to pay to the claimant £1260 as a redundancy payment.
- 25 2. The claim for notice pay (being a claim for breach of contract) was presented after the expiry of the applicable 3 month statutory time limits. However, the Tribunal is satisfied that it was not reasonably practicable for the claim to be presented in time and that it was then presented within a reasonable period. The claim succeeds and the respondent is ordered to pay to the claimant £840 as damages for breach of contract.
- 30 3. The claim for holiday pay (being a claim for unauthorised deduction from wages) was presented after the expiry of the applicable 3 month statutory time limits. However, the Tribunal is satisfied that it was not reasonably practicable for the claim to be presented in time and that it was then presented within a reasonable period. The claim succeeds and the respondent is ordered to pay to the claimant £660 for the unauthorised deduction.
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**E.T. Z4 (WR)**

Oral reasons were given at the hearing.

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**Employment Judge: Susan Walker**  
**Date of Judgment: 11 January 2019**  
**Entered in register : 14 January 2019**  
**and copied to parties**

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