



## EMPLOYMENT TRIBUNALS (SCOTLAND)

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### Employment Judge N M Hosie

Case No: S/4106012/19

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Claimant

Name: Mr M Walker  
Address:

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Respondent(s)

Name: Michael O'Driscoll  
And Jennifer O'Driscoll  
T/A M & J O'Driscoll

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## EMPLOYMENT TRIBUNALS (CONSTITUTION AND RULES OF PROCEDURE) REGULATIONS 2013

### JUDGMENT

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In respect that no response in these proceedings has been presented to the Employment Tribunal office within the relevant time limit, the Employment Judge, in terms of Rule 21 of Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, now issues the following Judgment:-

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1. The claim under section 23 of the Employment Rights Act 1996 is well-founded and the respondents shall pay to the claimant the sum of Nine Hundred and Sixty-Six Pounds and Forty Pence (£966.40), subject to the appropriate deductions for Income Tax and National Insurance, as unlawful deductions from wages.

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2. The claim under Regulation 30(1)(b) of the Working Time Regulations 1998, is well-founded and the respondents shall pay to the claimant the sum of Two Thousand, Seven Hundred and Seventy-Eight Pounds and Forty Pence (£2,778.40), subject to the appropriate deductions for Income Tax and National Insurance, as a payment in lieu of annual leave.

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3. The respondents shall pay to the claimant the sum of Five Thousand, Five Hundred and Twenty Pounds (£5,520), as damages for breach of contract (failure to give notice of termination of employment).

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4. The respondents shall pay to the claimant the sum of Thirteen Thousand, Three Hundred and Forty Pounds (£13,340), as a redundancy payment.

5. The respondents shall pay to the claimant the sum of Nine Hundred and Twenty Pounds (£920) in respect of their failure to provide the claimant with a written statement of his terms and conditions of employment.

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**Employment Judge:**

**Nicol Hosie**

**Date of Judgment:**

**08 August 2019**

30 **Date sent to parties:**

**09 August 2019**