



EMPLOYMENT TRIBUNALS

Claimant

Respondent

v

Mr Andrew Barr

Redburn Transfer Limited
(In liquidation)

RECORD OF A PRELIMINARY HEARING

Heard at: Watford

On: 17 July 2019

Before: Employment Judge Alliott

Appearances

For the Claimant: Mrs P Barr (wife)

For the Respondent: Did not attend

JUDGMENT

1. The claimant was an employee of the respondent.
2. The claimant's claim for unauthorised deduction of wages and/or breach of contract is well founded and the respondent is ordered to pay him the gross sum of £4,573.50.
3. The claimant's claim for breach of contract for not paying him his statutory notice payment is well founded and the respondent is ordered to pay him the gross sum of £4,001.76.
4. The respondent is ordered to pay the claimant a redundancy payment of £5,334.
5. The claimant's claim for accrued holiday pay outstanding at the date of termination of his employment is well founded and the respondent is ordered to pay him the gross some of £2,745.

REASONS / CALCULATIONS

1. For the reasons set out in the claimant's statement of facts, I find that he was an employee of the respondent.
2. Employment start dated: 1 September 2010.
Termination date: 24 April 2018

Week's pay:
March and April pay due: £4,573.50
8 weeks = £571.68 average per week.
3. Unauthorised deduction of wages/breach of contract
Invoices for March and April 2018 = £4,573.50 gross.
4. Notice pay:
7 complete years, therefore statutory notice period 7 weeks
7 x £571.68 = £4,001.76
5. Redundancy payment:
7 complete years x 1½ = 10½
10½ x statutory maximum week's pay £508 = £5,334.00
6. Holiday pay:
No contractual holiday year.
Holiday year 1.9 – 31.8
1.9.2017 – 24.4.2018 = 236 days
Therefore: 18 days due
18 x £152.50 = £2,745.00

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.

Employment Judge Alliott

Date:24/7/19.....

Sent to the parties on:

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For the Tribunal Office