



EMPLOYMENT TRIBUNALS

Claimant: Miss K Scattergood

Respondent: (1) Secretary of State for Business Innovation and Skills
(2) Alpha Maintenance and Building Limited

UPON a reconsideration of the judgment dated 30 October 2018 on the Tribunal's own initiative under rule 73 of the Employment Tribunals Rules of Procedure 2013, and without a hearing,

JUDGMENT

The Judgment sent to the parties on 31 October 2018 is corrected as set out in block type in paragraph 2 below.

2. The claimant was dismissed by redundancy but does not have the requisite continuous period of service to claim a redundancy payment. The claim for redundancy pay is dismissed.

REASONS

1. By letter dated 4 January 2019 the Insolvency Service queried whether the claimant was entitled to redundancy payment. This was because they had raised a query about the claimant's effective date of termination. If it was 19 February 2018 the claimant was dismissed short of two years service. If it was one week before 7 March 2018 the claimant would have reached the requisite period of service as she would have been dismissed in breach of her statutory notice period.
2. The claimant was asked to comment on this query in a letter dated 14 February 2019 and has failed to respond.
3. In the interests of justice Employment Judge Moore considers that the Insolvency Service should not be liable for a redundancy payment where there is a discrepancy over the requisite period of service. The information provided by the claim form on her ET1 will stand in the absence of any clarification by the claimant.

Employment Judge Moore
30 July 2019

JUDGMENT SENT TO THE PARTIES ON
30 July 2019

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FOR THE TRIBUNAL OFFICE