



EMPLOYMENT TRIBUNALS

Claimant: Mr S Lowcock

Respondents: Perry's Produce Limited

HELD AT: Liverpool **ON:** 13 August 2019

BEFORE: Employment Judge Shotter

REPRESENTATION:

Claimant: Mrs B Lowcock
Respondent: Not in attendance
:

JUDGEMENT

The judgement of the Tribunal is that:

1. The claimant was dismissed by way of redundancy and his claim for a statutory redundancy payment is well-founded. The respondent is ordered to pay to the claimant, who was aged 41 at the effective date of termination, a statutory redundancy payment in the sum of £1130.40 gross (3 years x 376.80 gross).
2. The claim includes a complaint of wrongful dismissal. An employment tribunal shall not consider such a complaint unless it is presented before the end of the period of 3 months beginning with the effective date of termination of employment. The effective date of termination was 30 November 2018, ACAS Conciliation took place between 21 February and 21 March 2019 and the claim form was received by the Tribunal on 27 April 2019, outside the statutory time limit. The tribunal is satisfied that it was not reasonably practicable for a complaint to be presented before the end of that period of 3 months, the complaint was presented within such further period as the tribunal considers reasonable.

3. The claimant was dismissed in breach of contract and his claim for wrongful dismissal is well-founded. The respondent is ordered to pay to the claimant compensation for wrongful dismissal in the sum of £996.99 net by way of unpaid notice pay (3 x £332.33).

13.8.19_____

Employment Judge Shotter

JUDGMENT SENT TO THE PARTIES ON

30 August 2019

FOR THE TRIBUNAL OFFICE



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2405073/2019**

Name of case: **Mr S Lowcock** v **Perrys Produce Limited**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: **30 August 2019**

"the calculation day" is: **31 August 2019**

"the stipulated rate of interest" is: **8%**

Mr S Harlow
For the Employment Tribunal Office