



# THE EMPLOYMENT TRIBUNAL

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**SITTING AT:** SOUTHAMPTON

**BEFORE:** EMPLOYMENT JUDGE EMERTON (sitting alone)

**BETWEEN:**

**Mr J Fleming** Claimant

AND

**(1) Pub Solutions (South West) Ltd**  
**(2) Mr Andrew Sutherland** Respondents

**ON:** 12 August 2019

**APPEARANCES:**

**For the claimant:** Mr J Nicholson (SARC Case Worker)

**For the first respondent:** Mr R Hignett (Counsel)

**For the second respondent:** Did not attend and was not represented  
(response not received)

## **JUDGMENT**

*The judgment of the tribunal is as follows:*

**Liability**

1. The second respondent was the employer at the material time. The claims against the first respondent are therefore dismissed.
2. The following claims against the second respondent (Mr Andrew Sutherland) are well founded, pursuant to rule 21 of the Employment Tribunal Rules of Procedure 2013: breach of contract (notice pay), failure to pay a statutory redundancy payment, unfair dismissal and unauthorised deduction of wages.

**Remedy**

3. Breach of contract (statutory notice pay): the tribunal orders the second

respondent to pay the claimant compensation of £3,240.00.

4. Statutory redundancy payment: the claimant is entitled to a statutory redundancy payment of £8,817.16. The second respondent is ordered to pay this sum to the claimant.
5. Unfair dismissal: No further sums are awarded to the claimant in compensation.
6. Unauthorised deduction of wages: The second respondent is ordered to pay the claimant the sum of £1,212.00 as compensation for unauthorised deductions of wages (relating to his final 8 weeks' pay). This is the net sum payable.

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Employment Judge Emerton  
Date 12 August 2019

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.