



# EMPLOYMENT TRIBUNALS

## Claimant

Mr S Kennedy

v

## Respondents

(1) Bull Restaurant Limited  
(2) The Secretary Of State For Business,  
Energy and Industrial Strategy.

**Heard at:** Cambridge

**On:** 7 November 2019

**Before:** Employment Judge Ord

## Appearances

**For the Claimant:** In person.

**For the Respondents:** Did not attend and was not represented.

## JUDGMENT

1. The first respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the gross sum of £1,153.86.
2. The claimant was dismissed in breach of contract in respect of notice and the first respondent is ordered to pay damages to the claimant in the sum of £2,286.50.
3. The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of £2,540.00.
4. The first respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the sum of £457.30.

## REASONS

1. The claimant was employed by the first respondent from 31 October 2013 to 6 January 2019 as head chef.
2. On 6 January 2019 the claimant was dismissed without notice or warning and was told that the first respondent would cease trading that day.

3. The claimant's normal rate of pay was £576.93 gross, £457.30 per week nett.
4. The claimant was not paid for two weeks work from 25 December 2018 to 6 January 2019.
5. The claimant had at the time of his dismissal accrued 5 days holiday for which he was not paid.
6. The claimant was dismissed in breach of contract and is entitled to 5 weeks' pay in lieu of notice.
7. The claimant is entitled to a statutory redundancy payment.
8. The statutory redundancy payment is calculated on the basis of 5 years continuous employment. The claimant was born on 29 October 1977. The appropriate age factor is therefore one and the claimant is entitled to pay at the then prevailing maximum sum of a weeks' pay of £508.00. Accordingly, the claimant is entitled to a statutory redundancy payment of £2,540.00.

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Employment Judge Ord

Date: 12 November 2019

Sent to the parties on: .....

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For the Tribunal Office