



EMPLOYMENT TRIBUNALS

Claimant: Mr B Marsh
Respondent: Premier Moving Services (an insolvent partnership)
Heard at: East London Hearing Centre
On: Monday 25 November 2019
Before: Employment Judge Elgot (sitting alone)

Representation

Claimant: In person
Respondent: Neither present nor represented

JUDGMENT

The Employment Judge gave judgment as follows:-

1. The Respondent is a partnership. The partners are Mr Garry Wakefield and Mr Graham Taylor. The partnership is insolvent as are the individual partners.
2. The Claimant was dismissed without notice on 13 May 2019 by reason of redundancy.
3. The Claimant was aged 72 at the effective date of termination of his employment. He has been continuously employed for 15 complete years by the Respondent since 24 September 2003.
4. The claim for a redundancy payment SUCCEEDS. The Claimant is entitled to a redundancy payment calculated as follows:-

20 weeks' pay (statutory maximum) x £150pw gross = £3,000

5. The claim for breach of contract SUCCEEDS in relation to the failure to pay the notice pay to which the Claimant is entitled.

12 weeks' notice pay x £150 = £1,800

6. The claim for accrued and unpaid holiday pay SUCCEEDS. The Claimant is entitled to paid annual leave calculated as follows:-

6.1 Holiday year commencing 1 January 2019;

6.2 No paid leave has been taken which is attributable to this holiday year 1.1.19 – 31.12.19

6.3 Holiday entitlement (pro rata) is 18 days per annum.

6.4 For the period 1 January 2019 – 13 May 2019 (19 weeks) the Claimant is entitled to 7 days paid annual leave at a weekly rate of pay of £150 = £150

7. The grand total payable by the Respondent to the Claimant within 28 days is **£4,950** (£3,000 + £1,800 + £150).

Employment Judge Elgot
Date: 28 November 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.

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