



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4111061/2019

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Held in Edinburgh on 4 December 2019

Employment Judge: Rory McPherson

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Darren McHenry

**Claimant
In Person**

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Livingston Decorating Co Ltd

**Respondent
Not present and
Not represented**

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

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The unanimous judgment of the Employment Tribunal is that

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1. the claimant's claims for redundancy, unfair dismissal and breach of contract succeed; and
2. the respondent is ordered to pay the monetary award in respect of statutory redundancy in the sum of **Eight Hundred and Two Pounds (£802.00)**; and
3. the respondent is ordered to pay, in respect of unfair dismissal, the total sum of **Eight Hundred and Forty Five Pounds (£845.00)**, comprising of a NIL Basic Award, in respect that is met by the statutory redundancy award, together with a Compensatory Award of £645.00 in respect of loss of earnings and £200.00 loss of statutory right. In terms of the Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 the prescribed period is 6 April 2018 to 21 April 2018 and the prescribed element is £645.00 and as the monetary sum exceeds the prescribed element by **TWO HUNDRED POUNDS (£200)** that sum is payable immediately to the claimant; and

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4. The respondent is ordered to pay, in respect of breach of contract relating to notice in terms of s86 of the Employment Rights Act 1996, the sum of **Six Hundred and Two Pounds (£602.00)**.

REASONS

- 5 Oral reasons were given at the hearing.

Date of Judgement: 4th December 2019

Employment Judge: R McPherson

Date Entered in Register: 10th December 2019

And Copied to Parties