



EMPLOYMENT TRIBUNALS

Claimant

Mrs Denise Welsh

v

Respondent

DH Ceramics Limited

Heard at: Watford

On: 20 February 2020

Before: Employment Judge Andrew Clarke QC

Appearances

For the Claimant: Mr Rogers, Counsel

For the Respondent: No representation (no response submitted)

JUDGMENT

1. For the purpose of calculating the financial remedies to which the claimant is entitled consequent upon the default judgment of Employment Judge Manley dated 7 January 2020, it is found:
 - 1.1 The claimant's gross basic pay per week was £300.82.
 - 1.2 The claimant's net pay per week was £269.62 to which must be added the employers' pension contribution of £3.69 per week.
 - 1.3 The respondent's holiday year was the calendar year and the claimant was entitled to 25 days of paid annual leave.
 - 1.4 The claimant was employed for 19 complete years, for 18 of which she was aged 41 and over and for 1 of which she was aged 40 for part of the year.
 - 1.5 Her statutory minimum entitlement to notice was 12 weeks' notice.
- 2 The respondent must pay to the claimant a statutory redundancy payment of £8,422.96.
- 3 The claimant having taken no holidays during the year 2019 and the respondent having issued a P45 showing her last day of employment as 31 May 2019, the claimant is entitled to a payment in respect of holidays not

taken being 5/12 of what would have been her annual entitlement. The appropriate sum is £561.67 which the respondent must pay to the claimant.

- 4 The claimant was dismissed without notice. The failure to pay her notice or to allow her to work out her notice amounts to a breach of contract and the respondent must pay to the claimant a sum equivalent to the money she would have earned over the 12-week notice period (including pension contributions which would have been made by the respondent) in the sum of £3,279.72.
- 5 The claimant was not paid from 23 April 2019 until the issue of the P45 on 31 May 2019, a period of five weeks and in respect of that period the respondent must pay to the claimant the sum of £1,366.55.

Employment Judge Andrew Clarke QC

Date:27.02.2020.....

Sent to the parties on: ..27.02.20.....

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For the Tribunal Office

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.