



EMPLOYMENT TRIBUNALS

Claimant: Mr M Sae-Sue

Respondent: KP Thai Restaurant Limited

Heard at: Leicester Hearing Centre, 5a New Walk, Leicester, LE1 6TE

On: 18 March 2020

Before: Employment Judge Adkinson sitting alone

Appearances

For the claimant: In person

For the respondent: No attendance

JUDGMENT

The respondent did not attend. All practicable enquiries were made of the respondent but no reason for non-attendance was forthcoming. The Tribunal considered the file and rule 47 of the Employment Tribunal's rules and decided to proceed in absence.

After considering the evidence and representations from the claimant (the respondent did not provide any) the Tribunal concludes that:

1. The claimant's referral to the Tribunal for a declaration that the respondent has failed to provide itemised pay statements is dismissed because the claimant withdrew the referral.
2. The claimant was constructively and unfairly dismissed by the respondent. The respondent must therefore pay to the claimant
 - 2.1. A basic award of **£7,000**; and in addition
 - 2.2. A compensatory award of **£7,343.95**.
3. The respondent has failed to pay the claimant's holiday pay and therefore must pay the claimant a further sum of **£2,000** gross.

Employment Judge Adkinson

Date: 18 March 2020

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

Notes

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.