



EMPLOYMENT TRIBUNALS

Claimant: Mr C Rainbow

Respondent: Celtic Sub Ltd

Heard at: Cardiff **On:** 9 April 2020

Before: Employment Judge R L Brace

Representation:

Claimant: In person (accompanied by Mr Rees-Bale)

Respondent: Did not attend

JUDGMENT

1. This has been a remote hearing which has been not objected to by the parties. The form of remote hearing was A - audio with the Employment Tribunal clerk physically in the hearing centre.
2. A face to face hearing was not held because it was not practicable and all issues could be determined on paper following additional enquiries made with the claimants at the hearing which did not require evidence.
3. The claimant was dismissed by reason of redundancy on 27 September 2019. He is therefore entitled to a statutory redundancy payment, calculated at 2 years x $\frac{1}{2}$ x £128.43, i.e. **£129.93**.
4. In breach of contract, the respondent failed to give the claimant notice of the termination of his employment or make a payment in lieu thereof. The respondent is therefore ordered to pay the claimant damages in the sum of one month's net pay i.e. **£542.01**.
5. In breach of Regulation 14(2) of the Working Time Regulations 1998, the respondent failed to pay the claimant a sum in lieu of 38.3 hours' holiday that he had accrued but not taken by the date on which his employment terminated. It is ordered to pay him the sum of **£265.65** in this regard.

6. In breach of Section 13(1) of the Employment Rights Act 1996, the respondent deducted from the claimant's wages, without his authorisation, 59 hours' pay. It is ordered to pay him the sum of **£407.70** in this regard.
7. The total amount the respondent must pay to the claimant is therefore **£1,345.29**. The claimant is responsible for any income tax or employee national insurance contributions that may be due on the sums awarded at paragraphs 5 and 6 above.

Employment Judge R Brace

Dated: 9 April 2020

JUDGMENT SENT TO THE PARTIES ON 17 April 2020

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FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS

NOTE:

This is a written record of the Tribunal's decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal's Rules of Procedure 2013.