



# EMPLOYMENT TRIBUNALS

**SITTING AT:** CROYDON (IN CHAMBERS)

**BEFORE:** EMPLOYMENT JUDGE MORTON

**BETWEEN:**

**Ms J Nicholson**

**Claimant**

**AND**

**Mr D Wilson**

**Respondent**

**ON:** 26 March 2020

**Appearances:**

**For the Claimant:** In person

**For the Respondent:** No appearance

## REMEDY JUDGMENT

**Employment Tribunals Rules of Procedure 2013 – Rule 21**

1. The Claimant was born on 12 May 1969. She was employed from 10 September 2008 to 31 May 2019, a period of more than 10 years. For the purpose of her statutory rights she had 10 complete years' service. Her gross weekly pay was £412.50 and her net weekly pay was £343.50.
2. The Respondent not having responded to the claim, the Claimant succeeds in her claims for:
  - a. Breach of contract (pay for the statutory 10 week notice period);
  - b. Unlawful deduction from wages (underpaid wages, statutory sick pay and holiday pay); and

- c. A redundancy payment based on her age (50 at the effective date of termination), length of service (10 years) and gross weekly pay (£412.50). She is entitled to a week's pay in respect of the year of her employment in which she was below the age of 41 and a week and half's pay for the remaining nine years of her employment.

3. The Claimant is therefore entitled to the following sums in compensation:

- a. £3435 in respect of 10 weeks' notice;
- b. £483.05 in respect of unpaid wages;
- c. £377 in respect of unpaid statutory sick pay;
- d. £319 in respect of accrued but untaken holiday;
- e. A statutory redundancy payment of £5981.

4. The total payable to the Claimant by the Respondent is therefore **£10,595.05**

Employment Judge Morton

Date: 26 March 2020

#### **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.

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