



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr R Couch

**Respondent:** Southwest Building Contractors (Cornwall) Limited

## JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

**No response to this claim having been presented by the Respondent (who has been given an opportunity to comment on the Claimant's Schedule of Loss dated 21 January 2020) and on the information before the Employment Judge.**

1. The Claimant is entitled to a statutory redundancy payment in the sum of £1,575 (3 weeks x week's pay of £525) and the Respondent is ordered to pay such monies to the Claimant.
2. The Respondent has failed, in breach of contract, to: - (a) give the Claimant one month's notice/ payment in lieu thereof and (b) make pension contributions during such notice period. The Claimant is accordingly awarded, and the Respondent is ordered to pay to the Claimant, damages in the total sum of £2,887.97 calculated as follows: - (a) £2,690.48 net in respect of such notice entitlement and (b) £197.49 in respect of such pension contributions.
3. The Respondent has made an unlawful deduction in respect of the Claimant's accrued holiday pay of 5 days. The Claimant is accordingly awarded and the Respondent is ordered to pay to the Claimant the sum of £769.23 gross in respect of such unlawful deduction (£40,000/52 weeks).
4. The Respondent has made further unlawful deductions in respect of the Claimant's pension entitlements for July 2019 in the total sum of £197.49. The Claimant is accordingly awarded and the Respondent is ordered to pay to the Claimant the sum of £197.49 gross in respect of such unlawful deductions.

5. The Claimant is therefore awarded, and the Respondent is ordered to pay to the Claimant the total sum of **£5,429.69**

Employment Judge Goraj

Date: 26 May 2020

Judgment sent to parties: 2 June 2020

FOR THE TRIBUNAL OFFICE