



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr G Burn (by his personal representative Ms J De-Vries)  
**Respondent:** Martin Williams (Hull) Limited

## AT A HEARING

**Heard at:** Leeds by telephone conference call **On:** 7<sup>th</sup> July 2020  
**Before:** Employment Judge Lancaster

### Representation

**Claimant:** Ms De-Vries in person  
**Respondent:** Mr W Haines, consultant

## JUDGMENT

This has been a remote hearing on the papers which has been not objected to by the Parties; the Respondent, in any event, only participating as allowed by the Judge in the absence of any valid Response. The form of remote hearing was by telephone(A) A face to face hearing was not held because it was not practicable and all issues could be determined in a remote hearing. The documents that I was referred to are in an agreed bundle and statements as directed by Employment Judge Smith at an earlier hearing.

1. The Claimant is refused leave to add a claim of unfair dismissal.
2. The Claimant was, applying section 163 (4) of the Employment Rights Act 1996, dismissed by reason of redundancy.
3. The Respondent is ordered to pay to the Claimant's estate a redundancy payment of £8382.00
4. The Claimant was wrongfully dismissed and the Respondent is ordered to pay to his estate in damages for breach of contract the balance of the notice pay due, £911.54 gross.
5. The Respondent has failed to pay the Claimant 0.75 days accrued but untaken holiday up to the date of termination, 29<sup>th</sup> March 2019, and is ordered to pay to his estate compensation in the sum of £109.62 gross.
6. The Respondent unreasonably failed to provide a written statement of the reason for dismissal and is, pursuant to section 93 (2) (b) of the Employment Rights Act 1996, ordered to pay to his estate a sum equal to 2 weeks' pay, £1461.54

Case: 1804308/2019 (A)

EMPLOYMENT JU DGE LANCASTER

DATE 7<sup>th</sup> July 2020