



EMPLOYMENT TRIBUNALS

Claimant

Mr J Clarke

v

Respondent

Tyne Tools Limited

Heard at: Cambridge

On: 14 August 2020

Before: Employment Judge Ord

Appearances

For the Claimant: In person

For the Respondent: Did not attend and was not represented

JUDGMENT on REMEDY

1. The Claimant was born on 27 February 1993 and was employed by the Respondent from 5 December 2016 until 26 June 2019; two complete years.
2. His gross weekly pay was £600, his net weekly pay was £482 and his employer had advised him orally (he did not receive any written statement of Terms and Conditions of Employment) that the notice period for his employment was three months.
3. At the time his employment was terminated, without notice, the relevant statutory maximum week's pay for the purposes of calculating a redundancy payment or a basic award for unfair dismissal, was £525.
3. The Claimant has suffered unlawful deductions from his wages in the gross sum of £930.
4. The Claimant is awarded the gross sum of £420 for accrued and untaken holidays.
5. The Claimant was dismissed in breach of contract. He was entitled to 12 weeks' notice and is awarded damages equal to 12 weeks' net pay at £482 per week = £5,784.00.
6. The Claimant is entitled to a statutory redundancy payment based on two complete years' service under the age of 41 years. Applying the statutory

maximum weekly pay of £525 the Claimant is entitled to a redundancy payment of £1,050.00

7. The Claimant was unfairly dismissed. The Claimant's basic award is extinguished by his redundancy payment. The Claimant was out of work for nine weeks. I award the sum of £350 for loss of employment protection rights and two weeks' pay (£1,050) for failure to give a statement of Terms and Conditions of Employment. The Claimant was out of work for nine weeks and his net loss of earnings amount to £4,338.00. The total compensatory award is £5,738.00.

Summary

The Claimant has Judgment for the following sums:

1.	Unlawful deductions from wages and accrued holiday pay (gross)	£1,350.00
2.	Breach of contract and loss of notice pay (net)	£5,784.00
3.	Statutory redundancy payment	£1,050.00
4.	Compensatory award for unfair dismissal	<u>£5,738.00</u>
	Total Award due to the Claimant	£ 13,922.00

Employment Judge Ord

Date: 18 August 2020

Sent to the parties on:

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For the Tribunal Office