



EMPLOYMENT TRIBUNALS

Claimant: Mr N Shrigley

Respondent: Messiah Corporation Limited

Heard at: East London Hearing Centre (by telephone)

On: Monday 21 September 2020

Before: Employment Judge Elgot

Representation

Claimant: In person

Respondent: Did not attend and was not represented

The Employment Judge gave judgment as follows:-

JUDGMENT

1. The Respondent failed to attend or be represented at this telephone hearing. It notified the Tribunal on 16 September that Mr O'Sullivan the Claimant's line manager would not be attending but no application for a postponement was made.
2. In accordance with Rule 47 Employment Tribunal Rules of Procedure 2013 the Employment Judge decided to proceed with the hearing in the absence of the Respondent. The Employment Judge considered all the information which was available to her. The Claimant gave oral evidence on oath.
3. The claim for breach of contract (failure to pay notice pay) succeeds and the Respondent is ORDERED within 21 days to pay the sum of £1,253.46 which is the amount of one week's gross wages and benefits. The Respondent is entitled to deduct the appropriate sums for tax and National Insurance. It is anticipated that the net sum payable will be £1,000 because that is the net wage received by the Claimant throughout the course of his employment.

- 4. The claim for unpaid holiday SUCCEEDS. The Claimant is entitled to one week's holiday pay in the gross sum of £1,253.46 from which the Respondent may deduct tax and National Insurance with the anticipation that the net weekly amount will be £1,000.**
- 5. The grand total payable by the Respondent to the Claimant within 21 days is £2,506.92 gross (£2,000 net).**

**Employment Judge Elgot
Date: 22 September 2020**