



# EMPLOYMENT TRIBUNALS

## Claimant

## Respondent

Mr Allan Wilding

v

Intech Products Limited  
(Creditors Voluntary Liquidation)

**Heard at:** Cambridge

**On:** 18 November 2020

**Before:** Employment Judge Ord

## Appearances

**For the Claimant:** Ms T Hand, Counsel

**For the Respondent:** Did not attend and was not represented

## JUDGMENT on REMEDY

1. The Claimant was unfairly dismissed. The reason for the Claimant's dismissal was redundancy.
2. The Claimant was not paid for accrued and untaken holiday (one day). The Claimant was dismissed in breach of contract and the Respondent failed to provide the Claimant with written Particulars of Employment as required under Section 1 of the Employment Rights Act 1996.
3. The Respondent entered Creditors Voluntary Liquidation on 12 February 2020 when the Claimant would have been dismissed on the ground of redundancy in any event.
4. The Claimant was employed from 2 October 2017 until 4 November 2019. His gross weekly pay was £1,105.77, £761.54 net. The Respondent made pension contributions on behalf of the Claimant in the weekly sum of £25.30.
5. The Respondent entered Creditors Voluntary Liquidation on 12 February 2020 when the Claimant would have been dismissed in any event on the ground of redundancy. He was told on 4 November 2019 that he was "*laid off*", he received no notice pay, no holiday pay and his employment was terminated that day.

6. The Claimant is awarded the following sums:
- 6.1 a statutory redundancy payment of: £ 1,575.00  
(2 weeks' pay at the statutory maximum of £525.00 x 1.5 H factor);
  - 6.2 payment for breach of contract (notice pay) of: £ 1,523.08  
(2 weeks' net pay);
  - 6.3 for unfair dismissal:
    - i. the basic award is extinguished by the statutory redundancy payment; and
    - ii. a compensatory award for the period 18.11.19 to 12.02.20 (12.4 weeks) at the sum of £786.84 per week, £11,330.50;

The Claimant is awarded the further sum of £450.00 for statutory rights:

making a total compensatory award of: £11,780.50
  - 6.4 the Claimant was not paid for one day's accrued Holiday, net: £ 152.31
  - 6.5 the Claimant was not given a written statement of Particulars of Employment in accordance with Section 1 of the Employment Rights Act 1996. He is awarded the lower award of 2 weeks' pay at the statutory maximum: £ 1,050.00
- The TOTAL award to the Claimant is therefore: £16,080.89**

4. The recoupment provisions do not apply.

18 November 2020

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Employment Judge Ord

Sent to the parties on: 3 December 20

For the Tribunal Office