



EMPLOYMENT TRIBUNALS

Claimant: Mr S Warden

Respondent: Kirkgate Anglers Limited (in liquidation)

HELD AT: Sheffield (by telephone)

ON: 15 December 2020

BEFORE: Employment Judge Little

REPRESENTATION:

Claimant: In person

Respondent: No attendance or appearance

JUDGMENT

My Judgment is that:-

1. The complaint of unfair dismissal succeeds.
2. As compensation for unfair dismissal the claimant is entitled to a basic award which is calculated on the basis that he was 48 years of age at the date of dismissal at which time he had 30 complete years of service and his gross weekly pay was £460. The basic award is therefore £10,810. The claimant is also entitled to a compensatory award and his immediate loss was £4686. His future loss is estimated at £1248. I also award the sum of £500 to compensate for loss of statutory rights.
3. The claimant was wrongfully dismissed and is entitled to damages representing his statutory notice entitlement being the maximum of 12 weeks at his net weekly pay of £365 which amounts to £4380.
4. The claimant suffered an unlawful deduction from wages because the respondent failed to pay him for the last eight days that he worked and the award is £730.
5. I have permitted the claimant to amend his claim to add a complaint in respect of holiday pay. That complaint succeeds and the claimant was entitled to six days accrued but untaken holiday which equates to £547.50.

6. The respondent is to make payment of the compensation and damages set out above to the claimant forthwith.

NOTES

1. In fact the respondent is in a creditor's voluntary liquidation which commenced on 23 December 2019.
2. The liquidator wrote to the Tribunal on 24 August 2020 indicating that the claim would not be defended.

Employment Judge Little
Date 17th December 2020