Case No: 2402605/2020 2402648/2020 Hearing Code V



# **EMPLOYMENT TRIBUNALS**

Claimant: Mr T Pickin

Respondent: Wilmslow Kitchen Interiors Ltd

Heard at: Liverpool On: 1 December 2020

**Before:** Employment Judge Ord

Representation

Claimant: In person

Respondent: Mr B Hendley (Consultant)

## **JUDGMENT**

- 1. The Respondent was in breach of contract by dismissing the Claimant without giving him four weeks' contractual notice and is ordered to pay the Claimant damages in the gross sum of £1,660.00 subject to such deductions as it is required to make for tax and national insurance. [The gross sum of £1,660.00 comprises four weeks' notice pay of £3,060.00 less £1,400 being two weeks' gross earnings from the Claimant's new employment].
- 2. The Respondent was in breach of contract by not paying the Claimant his expenses in the sum of £96.00. The Respondent is accordingly ordered to pay the Claimant this sum.
- **3.** The Claimant's complaint that there was an unauthorised deduction from his wages is not well-founded.

**Employment Judge Liz Ord** 

Date 12 December 2020

Case No: 2402605/2020 2402648/2020 Hearing Code V

JUDGMENT SENT TO THE PARTIES ON

4 January 2021

FOR THE TRIBUNAL OFFICE

#### **Notes**

- 1. The hearing code "V" in the heading to this judgment indicates that the hearing took place on a remote video platform. Neither party objected to the format of the hearing.
- 2. Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision. If written reasons are provided, they will be displayed on the tribunal's online register of judgments, which is visible to internet searches.
- 3. The damages for breach of contract were awarded gross, before deduction for tax and national insurance. This is because the damages count as "Post-Employment Notice Pay" for tax purposes. The claimant may be liable to pay tax and national insurance on the sums awarded.

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### **NOTICE**

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case numbers: 2402605/2020 & 2402648/2020

Name of case: Mr T Pickin v Wilmslow Kitchen Interiors

Ltd

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding discrimination or equal pay awards or sums representing costs or expenses), shall carry interest where the sum remains unpaid on a day ("the calculation day") 42 days after the day ("the relevant judgment day") that the document containing the tribunal's judgment is recorded as having been sent to the parties.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant judgment day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 4 January 2021

"the calculation day" is: 5 January 2021

"the stipulated rate of interest" is: 8%

For and on Behalf of the Secretary of the Tribunals