



EMPLOYMENT TRIBUNALS

Claimant

Mr R Coles

AND

Respondent

Stone of London Ltd

HEARD AT:

Watford Tribunal Centre

ON: 20 January 2021

BEFORE:

Employment Judge Douse (Sitting alone)

Representation:

For Claimant: Mr M Legister, Solicitor

For Respondent: Did not appear and was not represented

REMEDY JUDGMENT

The judgment of the Tribunal is that the Respondent is ordered to pay the Claimant £5080 in respect of his claims for unfair dismissal and notice pay.

REASONS

1. By way of a claim form presented on 21 December 2018, Mr Coles, the Claimant, brought a complaint of unfair dismissal against the Respondent, his former employer.
2. The Respondent did not respond to the claim.

3. On 28 April 2020 judgment in default was entered for the Claimant against the Respondent in his unfair dismissal claim. At that hearing the Claimant indicated that he would only be seeking judgment for a basic award, and for notice pay.
4. On 06 May 2020, by way of a signed witness statement in support of remedy, the Claimant confirmed that he was only seeking judgment for a basic award, and for notice pay.
5. This hearing was listed to determine remedy, and was heard by telephone. The Claimant and his representative, Mr Legister, attended. An attempt was made to add the Respondent's representative, Ms Glocker, to the call using the number provided but this was unsuccessful. I considered that as a judgment in default had been entered the Respondent's participation "shall only be entitled to participate in any hearing to the extent permitted by the Judge" (Rule 21(3) of Schedule 1 to The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013) so it was possible to continue with the hearing without making further enquiries with Ms Glocker.

Findings of fact

6. I accepted the Claimant's evidence as follows:
7. The Claimant started employment with the Respondent on 01 October 2012. His Effective Date of Termination (EDT) was 28 September 2018. He therefore had 5 complete years' service at the EDT.
8. The Claimant's annual gross salary was £60,000. His monthly pay was £5,000 gross or £3,568 net and his weekly pay was £1,153.84 gross, or £844.15 net.
9. The Claimant's date of birth was 29 May 1982. He was therefore aged between 22 and 41 years old throughout his employment.

Decision

10. The Claimant is entitled to a basic award for unfair dismissal, calculated: 5 x £508 (maximum week's pay allowable).

11. The Claimant is entitled to notice pay, calculated 5 x £508 (maximum week's pay allowable).
12. The Respondent shall pay the Claimant £5080 in respect of his claims for unfair dismissal and notice pay.

Employment Judge K Douse

Dated: ...20 January 2021.....

Sent to the parties on: .01/02/2021

Jon Marlowe

For the Tribunal Office