



EMPLOYMENT TRIBUNALS

Claimant: Mrs J Taylor

Respondents: 1. DRP Ventures Ltd (in creditor's voluntary liquidation), 2. Catering Business Solutions Solihull Ltd

Heard at: Birmingham (via CVP)

On: 5 and 8 February 2021

Before: Employment Judge Meichen, Ms I Fox, Mr K Palmer

Appearances:

For the claimant: Mr R Johns, counsel

For the respondents: no appearance or representation

JUDGMENT

1. The claimant's employment transferred from the first to the second respondent by way of TUPE transfer.
2. The claimant's complaint that the respondents failed to inform and consult over the TUPE transfer is well founded.
3. The first and second respondent are ordered to pay the claimant a total sum of 13 weeks pay as compensation for the failure to inform and consult. The sum that must be paid is £4322.50 (13 x 332.50).
4. The claimant's claim for unpaid notice pay succeeds. The claimant was entitled to be paid four weeks notice but was only paid for one. The second respondent is ordered to pay the claimant the sum of £882.39 (3 x £294.13). This sum is awarded net.
5. The claimant's claim for a failure to make employer pension contributions succeeds. These payments were not made for four months. The second respondent is ordered to pay the claimant the sum of £84.24 (4 x £21.06).
6. The claimant's claim that she was not provided with a written statement of particulars of employment succeeds. The second respondent is ordered to

pay the claimant 4 weeks' pay in respect of that failure. The sum to be paid is £1330 (4 x £332.50).

7. Only the award for notice pay is calculated net of tax. The claimant is responsible for any tax or national insurance contributions which may be due.
8. All of the claimant's other claims are dismissed following withdrawals of those claims by the claimant.
9. The claimant's claim for wasted costs against the second respondent's former representatives was not heard because it was not clear if the representatives were on notice of the application. If the claimant wishes to pursue any application for costs or wasted costs this must be set out in writing in compliance with rule 77 and served on all appropriate parties.

Employment Judge Meichen

8 February 2021