



EMPLOYMENT TRIBUNALS

Claimant: Mrs L McCarthy

Respondents: Little Haven Beach Ltd

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

The claim for a statutory redundancy payment against the Respondent is well founded and succeeds. The Respondent is ordered to pay the Claimant the sum of **£7,307.80**.

The Hearing on 6 April 2021 is cancelled.

REASONS

1. The claimant was employed by the Respondent as an accounts assistant from 03 November 2003 until 04 September 2020. Her employment was terminated by reason of redundancy. She was not paid any statutory redundancy payment. Proceedings were properly served on the Respondent which was required to present a response by 08 March 2021. No response was received.
2. Under rule 21 of the Tribunal Rules of Procedure 2013, where on the expiry of the time limit in rule 16 no response has been presented and no application for a reconsideration is outstanding, an employment Judge shall decide whether on the available material, a determination can properly be made of the claim or part of it. If there is, the judge shall issue a judgment, otherwise a hearing must be fixed before a judge alone. The Tribunal wrote to the Claimant on 12 March 2021 regarding the claim seeking some further information from her. She responded by email that day providing the information requested.
3. I was satisfied on the information available to me that, at the date of termination of employment, the Claimant's gross weekly pay was £365.39. The Claimant was employed for 16 complete years as at the date of termination and for the last 8 complete years worked he was aged over 41. At the date of dismissal, she was aged 49.

Therefore, his statutory redundancy pay amounts to £4,384.68 ($£349.61 \times 1.5 \times 8$) plus £2,923.12 ($£365.39 \times 8$) = £7,307.80.

4. I considered that I had sufficient information to enable me to issue a judgment and was satisfied that the amount claimed was due.

Employment Judge **Sweeney**

Date: 26 March 2021