



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr A Liburd

v

G – Staff Limited

Heard at: Birmingham by telephone

On: 22 April 2020

Before: Employment Judge Broughton

Appearances:

For Claimant: in person

Respondent: no appearance

DEFAULT JUDGMENT

The respondent seemingly entered voluntary liquidation today. They had filed no response, nor engaged with the tribunal process, nor did they attend today. The proceedings were served on their registered office address and they were warned of the prospect of a default judgment.

The claimant's claim for failure to consult under TUPE was presented out of time and is dismissed. His claim for race discrimination is to be listed for a 1 day hearing, including remedy, before me and a panel on the first available date after 1 September 2020 if the claimant intends to proceed with it. The claimant consents to it being heard remotely should the need arise.

Having heard from the claimant and considered the documents the claimant's claims of unfair dismissal, unpaid commission, unpaid holiday pay and unpaid notice succeed and he is awarded the following amounts.

For unpaid commission from August 2017 to February 2019 in accordance with the claimant's schedule	£40,910
Unpaid holiday pay – 5 days	£ 615
Unpaid notice pay – 4 weeks	£ 2,461

For unfair dismissal

The claimant accepted he would have been made
redundant at the end of July 2019

Basic award - 2 years @ £508py	£ 1,016	
Compensatory award		
Loss of statutory rights	£ 500	
6 weeks out of work @ £615.38pw	£ 3,690	
3 months ongoing wages lost @ £250pm	£ 750	
Lost commissions 4.5 Months @ £1500pm	£ 6,750	
Total owed		£56,692

Employment Judge Broughton

Date: 22 April 2020