



EMPLOYMENT TRIBUNALS

Claimant: Mr Gurnek Singh

Respondent: Gilsons Foods Limited (In Voluntary Liquidation)

Heard at: Watford Hearing Centre (by video)

On: 2 September 2021

Before: Employment Judge Tobin (sitting alone)

Attendance:

Claimant: In person (supported by his friend Mr T Sobti)

Respondent: No attendance or participation

JUDGMENT

This has been a remote hearing which has not been objected to by the parties. The form of remote hearing was by Cloud Video Platform (wholly remote). A face-to-face hearing was not held because the relevant matters could be determined in a remote hearing.

It is the decision of the Employment Tribunal that:

1. The hearing shall proceed despite the non-attendance of the respondents, pursuant to rule 47 of the Employment Tribunal's Rules of Procedure 2013.
2. The claims against the former respondent S & S Wines Limited (in compulsory liquidation) were withdrawn.
3. The claimant's employment with S & S Wines Limited was transferred to Gilsons Foods Limited (the remaining respondent), pursuant to regulation 4(1) of the Transfer of Undertakings (Protection of Employment) Regulations 2006, on or around 25 August 2018.
4. The claimant was unfairly dismissed, in breach of s94 Employment Rights Act 1996. The respondent is also responsible for the non-payment of the claimant's outstanding wages, pursuant to s13 Employment Rights Act 1996, and a failure to give a statement of employment particulars, in breach of s38 Employment Act 2002.

5. Accordingly the claimant is awarded compensation as follows:

Unfair dismissal

Basic award	-	£5,367.58	
Compensatory award			
Notice pay -	£3,788.88		
Additional Loss of earnings -	£1,052.48		
Loss of statutory rights -	<u>£300.00</u>		
		<u>£5,141.36</u>	£10,508.94
<u>Unpaid wages</u>	-		£621.48
<u>Failure to give statement of employment particulars</u>	-		<u>£1,262.96</u>
Total awarded to the claimant from the respondent	-		£12,393.38

Employment Judge Tobin

Date: 3 September 2021

JUDGMENT SENT TO THE PARTIES ON

21 September 2021

FOR THE TRIBUNAL OFFICE

Note

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.

Public access to employment tribunal decisions

All judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.