



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 41 06939/20 19

Mr Stuart McInally

Claimant

Swim Confident Ltd

Respondent

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

The respondent has stated that no part of the claim is contested, but the claimant's start date was 1 June 2014, and not 1 June 2013 as stated by the claimant, and the claimant having agreed that date by e-mail to the Tribunal on 11 June 2019, and supplied additional information to the Tribunal on 10 July 2019, an Employment Judge has decided to issue the following Judgment on the available material under Rule 21:-

1. The respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the sum of **£1,750 (One Thousand Seven**

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Hundred and Fifty Pounds) for failure to pay the claimant his one month's salary for April 2019.

2. The claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages to the claimant of 4 weeks' notice pay in the sum of **£1,615.36 (One Thousand, Six Hundred and Fifteen Pounds, Thirty Six Pence)** being 4 weeks at £403.84 per week.
3. The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of **£1,615.36 (One Thousand, Six Hundred and Fifteen Pounds, Thirty Six Pence)**, based on his age of 27 years, 4 years' continuous employment, and weekly pay of £403.84.
4. The claimant was unfairly dismissed by the respondents. No basic award is ordered, as a redundancy payment has been ordered. In respect of a compensatory award, the claimant has suffered past loss of earnings from 27 April 2019 to 9 May 2019 when he secured a new job. He is earning £73.85 per week less than he was earning with the respondents. His past loss to date of this Judgment is 12 weeks' at £73.85, being **£886.20 (Eight Hundred and Eighty Six Pounds, Twenty Pence)**.
5. The Tribunal awards a further 12 weeks for future loss of earnings, being another **£886.20 (Eight Hundred and Eighty Six Pounds, Twenty Pence)**, plus **£350 (Three Hundred and Fifty Pounds)** for loss of statutory rights. The total monetary award of compensation for unfair dismissal is therefore £2,122.40 (**Two Thousand, One Hundred and Twenty Two Pounds, Forty Pence**), which sum the respondents are also ordered to pay to the claimant.

Employment Judge: . McPherson
Date of Judgment: 22 July 2019
Entered in register: 23 July 2019
and copied to parties