



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 4102155/2017

Hearing held in Glasgow on 6th November 2018

Employment Judge M Whitcombe

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Mr I Aitken

Claimant
Represented by:
Miss Jones
(Solicitor)

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CRW Interiors Limited

First Respondent
No appearance

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David Sloan
Trading as:
David Sloan Kitchens, Bathrooms & Bedrooms

Second Respondent
Represented by:
Mr Hutchison
(Solicitor)

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JUDGMENT

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The judgment of the Tribunal is as follows.

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(1) The claimant's employment transferred under the Transfer of Undertakings (Protection of Employment) Regulations 2006 from the second respondent to the first respondent on or about 9th November 2015. For that reason none of the claims succeed against the second respondent.

5 (2) The claimant was unfairly dismissed by the first respondent. The first respondent is ordered to pay compensation for unfair dismissal as follows: a basic award of £5,868 and a compensatory award (limited to compensation for loss of statutory rights) of £350.

(3) In those circumstances there is no additional entitlement to a statutory redundancy payment and that claim is dismissed.

w (4) The claim against the first respondent for outstanding entitlement to pay in respect of untaken annual leave is not well founded and is dismissed.

15 (5) The claim against the first respondent for unpaid notice pay is well founded. The first respondent is ordered to pay compensation to the claimant of £3209.60 (awarded on a net basis) as damages for breach of contract.

20 (6) Oral reasons were given in the presence of the parties attending the hearing in accordance with rule 61(1) of the Employment Tribunals Rules of Procedure (2013). There was no request for written reasons.

25 **Employment Judge: M Whitcombe**
Date of Judgment: 06 November 2018
Entered in register: 07 November 2018
and copied to parties