



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

5 **Case No: 4104175/2020**

**Held in Glasgow by CVP on 8 and 9 December 2021**

**Employment Judge: Rory McPherson**

10 **Ryan Flynn**

**Claimant  
In Person**

15 **Mikeylenn Ltd**

**Respondent  
Represented by  
G Kelly and M Lennon  
Directors**

20 **JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

The judgment of the Employment Tribunal is that;

- 25 1. the respondent made unauthorised deduction of wages from the claimant's wages in the sum of **Five Hundred and Sixteen Pounds and Sixty Pence (£516.60)**, being 12 weeks' pay at contractual rate of £43.05; and
- 30 2. the claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages in the sum of **One Hundred and Twenty Nine Pounds and Fifteen Pence (£129.15)**, being 3 weeks' notice contractual notice pay £43.05; and
- 35 3. the claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of **Ninety Four Pounds and Thirty Nine Pence (£94.39)** calculated on average of paid wages 52 weeks prior to termination (£62.93 x 1.5 having regard to the claimant's age), the claimant having a period of 3 continuous years of service.

**E.T. Z4 (WR)**

4. The respondent has failed to pay the claimant's accrued (6 March to 25 May) holiday entitlement and is ordered to pay the claimant the sum of **Fifty Three Pounds and Fifty Pounds (£53.50)**.
5. As the Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 do not apply, these sums are payable immediately by the respondent.

### REASONS

Oral reasons were given at the hearing.

- 10 Employment Judge: Rory McPherson  
Date of Judgment: 15 February 2022  
Entered in register: 15 February 2022  
and copied to parties