



EMPLOYMENT TRIBUNALS

Claimant: Mr Paul Bingham

Respondent: Green Supplier Limited (in administration)

Heard: Remotely (by video link) **On:** 14 March 2022

Before: Employment Judge S Shore

Appearances

For the claimant: In Person

For the respondent: No Appearance

JUDGMENT

1. The judgment of the Tribunal is that the claimant, Paul Bingham's, complaint that the respondent failed to comply with a requirement of section 188 or section 188A of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded. The Tribunal orders the respondent, by way of protective award under section 189(3) of the 1992 Act, to pay Paul Bingham, who was dismissed for redundancy on 1 October 2021, remuneration for the period of 90 days beginning on 1 October 2021.
2. The protected period is from 1 October 2021 to 30 December 2021.
3. The Employment Protection (Recoupment of Jobseekers Allowance and Income Support) Regulations 1996 apply. Regulation 6 imposes on the respondent a duty to provide information to the Secretary of State. Regulation 7 postpones this award in order to enable the Secretary of State to serve a recoupment notice under Regulation 8.
4. The claimant's claim for breach of contract (failure to pay notice pay) is well-founded and succeeds. The respondent will pay Paul Bingham the sum of £480.77 gross (before deduction of tax and National Insurance).
5. The claimant's claim unauthorised deduction of wages is dismissed upon withdrawal.

6. The claimant's claim of non-payment of holiday pay is well-founded and succeeds. The respondent shall pay the claimant the sum of £141.03 gross (before deduction of tax and National Insurance).

Note: This has been a remote hearing. The parties did not object to the case being heard remotely. It was not practicable to hold a face to face hearing because of the Covid19 pandemic.

Employment Judge Shore
14 March 2022

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.

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