



EMPLOYMENT TRIBUNALS

Claimant: Ms K Jenkins

Respondents: Lowan's (Wales) Limited

Heard at: Cardiff Employment Tribunal by CVP

On: 1 April 2022

Before: Employment Judge Park

Representation

Claimant: Wayne Cowley (Newport Citizens Advice)

Respondents: Did not attend

JUDGMENT

1. The name of the Respondent is changed to Club Lenox Limited. This is the same company (08142236) but the name was changed on 7 September 2022.
2. The Claimant was dismissed by the Respondent on 30 July 2021. The reason for dismissal was redundancy. The Claimant was entitled to receive a statutory redundancy payment but this was not paid to the Claimant by the Respondent. The Claimant's claim for a statutory redundancy payment succeeds. The Claimant's average weekly pay was £222.75. At the time of her dismissal the Claimant was 66 years' old and she had 14 years' continuous service. The Respondent is ordered to pay the Claimant a statutory redundancy payment in the sum of **£4,677.75**.
3. The Claimant's claim for unfair dismissal succeeds. The Claimant's basic award would be £4,677.75. I have already ordered that the Respondent pay the Claimant a statutory redundancy payment so in accordance with section 122(4) Employment Rights Act 1996 the basic award is reduced to nil. I found that had the Respondent followed a fair procedure the Claimant

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would probably have been fairly dismissed by reason of redundancy in any event. I award compensation of 2 weeks' pay for loss of earnings (£445.50) and the sum of £500.00 for loss of statutory rights. The total compensation awarded is **£945.50**

4. The Claimant's claim for holiday pay succeeds. The Respondent is ordered to pay the Claimant the sum of **£1,492.43** as compensation for accrued but untaken holiday pay. This equates to 33.5 days' accrued annual leave at a daily rate of £44.55.
5. The Claimant was dismissed without notice. The Claimant's claim for notice pay succeeds and the Respondent is ordered to pay the Claimant the sum of **£2,673.00** as compensation. This equates to 12 weeks' pay at a rate of £222.75 per week.
6. The total compensation the Respondent is ordered to pay the Claimant is **£9,788.68**.

Employment Judge **Park**

Date 1 April 2022

JUDGMENT SENT TO THE PARTIES ON 4 April 2022

FOR THE TRIBUNAL OFFICE Mr N Roche

Public access to employment tribunal decisions

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.

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.