



EMPLOYMENT TRIBUNALS

Claimant: Mr J Kilshaw

Respondent: Lunar Automotive Limited

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

Judgment having already been issued for some of the claims brought by the claimant, upon the claimant having provided further information, judgment is given in relation to some of his remaining claims on the basis of no response having been presented, as follows:

1. The claimant was constructively dismissed.
2. The respondent was in breach of contract by not paying the claimant for the 11 weeks' balance of his notice period of 12 weeks (the claimant having given one week's notice of termination) and the respondent is ordered to pay to the claimant damages of £5139.42. This is a net sum but is based on the claimant's gross pay because it is likely that upon receipt the claimant will have to pay tax on this amount.
3. The complaint of unfair dismissal is well founded and the respondent is ordered to pay to the claimant compensation of £12,208.53 for unfair dismissal (a basic award of £10,979.67 and a compensatory award of £1,228.86). The Recoupment Regulations do not apply to this award.
4. The remaining complaint in relation to the deduction of employee's pension contributions not paid to the pension scheme remains stayed, in accordance with a previous order.

Employment Judge Slater

Date: 12 May 2022

JUDGMENT SENT TO THE PARTIES ON
13 May 2022

.....
AND ENTERED IN THE REGISTER

.....
FOR THE TRIBUNAL OFFICE

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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2418501/2020**

Name of case(s): **Mr J Kilshaw** v **1. Lunar Automotive Limited**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 13 May 2022

"the calculation day" is: 14 May 2022

"the stipulated rate of interest" is: **8%**

For the Employment Tribunal Office