



EMPLOYMENT TRIBUNALS

Claimant: Mr M Penn

Respondent: Tendring Reuse and Employment Enterprise Ltd (In liquidation)

Heard at: East London Hearing Centre

On: 25 April 2022

Before: Employment Judge Burgher

Representation

For the Claimant: In person
For the Respondent: Did not attend

JUDGMENT

- 1 The Claimant commenced employment with the Respondent as Chief Executive Officer on 4 August 2010. His basic salary was £36,000pa.
- 2 The Claimant was dismissed by way of redundancy on 13 January 2020.
- 3 The Claimant worked for the Respondent for 9 full years and was 56 years old when dismissed.
- 4 The Claimant was not paid salary for December 2019 or for the first two weeks of January 2020.
- 5 The Claimant was not paid his statutory notice of 9 weeks' pay.
- 6 The Claimant was not paid his 5.6 weeks holiday for 2019.
- 7 Although damages are calculated on a net basis, since the Claimant will be liable for tax on the elements relating to pay, the gross figure is used in the calculation.
- 8 The Respondent is therefore ordered to pay the Claimant the following sums:

8.1	Redundancy pay	£7,087.50 (13.5 x £525 (capped))
8.2	Notice pay	£6,230.79 (9 weeks x £692.31)
8.3	Unpaid salary December 2019	£3,000.00
8.4	Unpaid salary January 2020	£1,384.62 (2 x £692.31)
8.5	Unpaid holiday	£3,876.94 (5.6 x £692.31)

- 9 The Respondent is ordered to pay the Claimant the total sum of **£21,579.85**.

Employment Judge Burgher

5 May 2022