



EMPLOYMENT TRIBUNALS

Claimant: L Johnstone

Respondent: Alan Stuart Engineering Limited

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The respondent has failed to present a valid response on time. The Employment Judge has decided that a determination can properly be made of the claim in accordance with rule 21 of the Rules of Procedure.
2. The respondent is ordered to pay the gross sum of **£696.00** for failure to provide a written statement of employment particulars (this equates to two weeks' salary; 2 x £348.00; £348.00 being the average weekly salary).
3. The claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages to the claimant in the sum of **£4,176.00** (Statutory notice of 12 weeks at £348 per week).
4. The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of **£6,612** (1 week for every complete year of service when the claimant was aged between 22 – 40: $18 \times 1 \times £348.00 = £6,264.00$; $\frac{1}{2}$ week for every complete year of service when the claimant was aged below 22: $0.5 \times 2 \times £348.00 = 348.00$).
5. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the sum of **£696.00** ($£348.00$ divided 5 = $£69.50 \times 10$ days).
6. The figures above have been calculated using gross pay figures. The respondent may account for any tax and other statutory deductions where necessary, before paying the claimant the outstanding balance. If the respondent does not account for any such deductions, then the claimant will be responsible for satisfying any such outstanding liabilities.

7. The hearing listed on **4th October 2022** is cancelled.

Employment Judge Mark Butler

Date: 08 August 2022

JUDGMENT SENT TO THE PARTIES ON

12 August 2022

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2403425/2022**

Name of case: **Mr L Johnstone** v **Alan Stuart Engineering 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: 12 August 2022

"the calculation day" is: 13 August 2022

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office