



EMPLOYMENT TRIBUNALS

Claimant: Mrs J Cody

Respondent: S J Marlow Pipework Services Ltd (in voluntary liquidation)

HELD at Leeds by CVP

ON: 9 August 2022

BEFORE: Employment Judge Shulman

REPRESENTATION:

Claimant: In person

Respondent: Did not appear and was not represented

JUDGMENT

The respondent shall pay the claimant the sum of £6233.00 in respect of a compensatory award and loss of statutory industrial rights in respect of her unfair dismissal.

REASONS

1. Claim

Unfair dismissal

2. Issues

The issue in this case relates to what compensatory award the claimant is entitled to.

3. The law

The Tribunal has to have regard to sections 123 and 124 Employment Rights Act 1996 considering whether or not to make a compensatory award.

4. Existing Judgment

4.1. Employment Judge Deeley made a Judgment under Rule 21 of the Employment Tribunal Rules of Procedure 2013 in which she dealt (on 24 May 2022) with all the claimant's claims, including unfair dismissal but the Employment Judge could not make a compensatory award and hence this hearing.

4.2. The Tribunal took the claimant through Judge Deeley's Order and she agreed that the only issue outstanding was a compensatory award.

5. Facts

The Tribunal having carefully reviewed all the relevant evidence (both oral and documentary) before it finds the following facts (proved on the balance of probabilities):

5.1. The claimant was at the time of her dismissal on 22 January 2022, 67 years of age.

5.2. She had it in mind to retire but the respondent asked her to stay on and the claimant estimated in her evidence that that would continue for six months from the date of the request, which was 3 January 2022.

5.3. The claimant does not have alternative employment, nor did she seek any after her dismissal.

5.4. Her gross weekly pay is £220.50.

5.5. The respondent went into voluntary liquidation on 19 July 2022.

6. Determination of the issue

After listening to the evidence made by and on behalf of the claimant (and taking into account the response):

6.1. Taking into account the estimate of the claimant as to how long she would continue assisting the respondent and taking into account the fact that the respondent did not go into liquidation until 19 July 2022 the Tribunal awards the claimant six months pay by way of compensatory award which comes to the sum of £5733.00.

6.2. The Tribunal awards the claimant the sum of £500.00 by way of loss of statutory industrial rights.

6.3. The grand total is £6233.00

_____ J Shulman _____

Employment Judge Shulman

Date____15 August_2022_____

FOR THE TRIBUNAL OFFICE