



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4100168/2022

Mr G Campbell

Claimant

Nessie Pizza Direct

Respondent

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

No response has been presented to this claim and an Employment Judge has decided to issue the following judgment on the available material under rule 21:

- 1 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 £238.04
- 2 The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the sum of £734.73
- 3 The respondent has failed to provide the claimant with a written statement of terms and conditions and is ordered to pay the claimant the sum of £985.92
- 4 The hearing listed for 25 March 2022 is cancelled.

REASONS

1. A copy of the claim form setting out the claimant's complaint(s) was sent to the respondent on 14 January 2022.
2. In accordance with the terms of Rule 16 of the Rules to be found in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 the respondent was required to enter a response within twenty-eight days of the date on which a copy of the claim was sent to it but failed to do so.
3. The Employment Judge decided that on the available material a determination could properly be made without a hearing as to the liability of the respondent for the claim.
4. On the basis of the available material the Employment Judge decided he could properly determine remedy as follows: -
 - a) In respect of the claimant's complaint of notice pay the respondent shall pay to the claimant the sum of £238.04 (net) (one weeks' pay at £238.04),
 - (b) In respect of the claimant's complaint of holiday pay the respondent shall pay to the claimant the sum of £734.73 (gross) (112 hours pay at £6.56),
 - (c) In respect of the claimant's complaint of failure to provide a written statement of terms and conditions the respondent shall pay to the claimant the sum of £985.92 (gross) (4 weeks' pay at £246.48).
5. This claim is not one to which the Employment Protection (Recoument of Jobseeker's Allowance and Income Support) Regulations 1996 apply.
6. The hearing set down for 25 March 2022 has been cancelled.

Employment Judge: M Whitcombe
Date of Judgment: 17 February 2022
Entered in register: 22 February 2022
and copied to parties