



EMPLOYMENT TRIBUNALS

Claimant

Mr J Arab

Respondent

v Cassellie Limited (in Administration)

Heard at: Sheffield (by CVP)

On: 7 July 2022

Before: Employment Judge James

Representation

For the Claimant: In person

For the Respondent: None - the claim is not defended

JUDGMENT

Following the hearing of oral evidence from the claimant, and the Tribunal being satisfied on the basis of that evidence that - the claimant was employed under a contract of employment; he was dismissed on 3 September 2021 without any consultation; within a period of 90 days there were over 20 employees dismissed by the respondent; the first of the dismissals occurred on 3 September 2021; the claimant's weekly rate of pay was £673.08 (£35,000/52); the claimant was entitled to two week's notice; the claimant was entitled to employer pension contributions of £16.60 per week which he was not paid; the claimant was entitled to the use of a company car on which he was taxed at the rate of £10,000 per annum, and which therefore had a value to the claimant of £192.31 per week and the car could not be used for the two week notice period: the decision of the Tribunal is that:

- (1) The claim for a Protective Award (section 188 Trade Union and Labour Relations (Consolidation) Act 1992) succeeds. The protected period commences on 3 September 2021 date and continues for a period of 90 days thereafter, to 1 December 2021 inclusive.
- (2) The claimant is entitled to a protective award of 12.86 weeks times weekly pay of £673.08 for the protected period which equals £8,655.81.
- (3) The claims for breach of contract in relation to the failure to pay employer pension contributions and loss of use of the company car for the period of two weeks notice succeed (Employment Tribunals Extension of

Jurisdiction (England and Wales) Order 1994). The claimant is awarded the sum of 2 weeks x £208.91 which equals £417.82.

Employment Judge James
North East Region

Dated 7 July 2022

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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.