



## EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Findlay  
**Respondent:** Ascherl Ceramics Limited (in liquidation)

**HELD AT:** London South (via CVP) **ON:** 27 July 2022  
**BEFORE:** Employment Judge Hart

### REPRESENTATION:

**Claimant:** Mr Best, lay representative  
**Respondent:** No attendance

## JUDGMENT

The Judgment of the Tribunal is that:

1. The name of the respondent is to be amended from 'Ascherl Ceramics Limited' to 'Ascherl Ceramics Limited (in liquidation)'.
2. The respondent unfairly (constructively) dismissed the claimant, and is ordered to pay the claimant:
  - 2.1 a basic award of **£10,638 gross**, and
  - 2.2 a compensatory award of **£550 net** (made up of £500 for loss of statutory rights and £50 for an ACAS uplift of 10%).

3. The respondent was in breach of the Working Time Regulations 1998, in failing to pay the claimant in lieu of accrued but untaken holiday for the leave year April 2020 to March 2021, and is ordered to pay the claimant 4 weeks' leave, amounting to **£2,496 net**.
4. The respondent made an unauthorised deduction of wages by failing to pay the claimant full contractual sick pay for the weeks commencing 15 September 2021, 13 October 2021 and 20 October 2021, and is ordered to pay the claimant **£1,165.23 net**.
5. The respondent failed to provide a section 1 statement of terms and conditions over a period of 19 years, and is ordered to pay the claimant 4 weeks' pay amounting to **£2,176 gross**.

Employment Judge Hart

Date: 5 August 2022

Note

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.