



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr D Shaw  
**Respondent:** Bailey's Wholesale Fruit Distributors Limited

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

The claim was issued in the Leeds Employment Tribunals on 26 July 2022. 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, or part of it, in accordance with rule 21 of the Rules of Procedure.

1. The complaint of unfair dismissal succeeds and is upheld.
2. The Tribunal declares the claimant was dismissed in breach of contract in relation to notice pay.

## NOTES

3. This judgment deals with liability only, the remedy to which the claimant is entitled will be determined at a remedy hearing. A notice of hearing will be sent separately. The respondent will only be entitled to take part in this hearing to the extent permitted by the Employment Judge who hears the case.
4. Bailey's Wholesale Fruit Distributors Limited is added as a respondent in substitution for Baileys Wholesale Fruit Dist. Ltd in these proceedings, under Rule 34.
5. The Orders sent on 26 July 2022 should still be complied with but concern only issues related to remedy. They are varied to the extent that no agreement about what documents should be in the bundle is required and it is the duty of the claimant, not the respondent, to provide a copy of the bundle of documents.

Employment Judge D N Jones

Date: 26 August 2022