



EMPLOYMENT TRIBUNALS

Claimants

(1) Mrs S Wilkins
(2) Mr G Wilkins

v

Respondent

Mr J Miall t/a Ocean Fresh

Heard at: Nottingham (via CVP)

On: 20 October 2022

Before: Employment Judge Fredericks

Appearances

For the claimants: Ms A Doble (Counsel)

For the respondent: In person

JUDGMENT

The first claimant (Mrs S Wilkins)

1. By consent, the first claimant's claim for redundancy payment following her redundancy succeeds and the respondent is ordered to pay her **£3,706.56**, made up of -
 - a. 12 years x 1.5 x £142.56 = £2,566.08; and
 - b. 8 years x 1 x £142.56 = £1,140.48.
2. In breach of contract, the first claimant did not receive 12 weeks' notice before the termination of her employment and was not paid in lieu of notice, and so it is ordered that the respondent pays her 12 weeks x £142.56 = **£1,170.72**.
3. The first claimant lost statutory rights as a result of her dismissal and the respondent is ordered to pay her **£500**.
4. By consent, the first claimant is owed **£213.84** in accrued but untaken holiday pay and it is ordered that the respondent pay her that sum.

5. The respondent failed to provide the first claimant with a written statement of particulars of employment and it is considered just and equitable to award the higher amount of 4 weeks' pay in compensation, that being **£570.24**.
6. Consequently, the total amount which the respondent is ordered to pay the first claimant is **£6,701.36**.

The second claimant (Mr G Wilkins)

7. By consent, the second claimant's claim for redundancy payment following his redundancy succeeds and the respondent is ordered to pay him **£334.40**, calculated as 5 years x 0.5 x £133.76.
8. In breach of contract, the second claimant did not receive 5 weeks' notice before the termination of his employment and was not paid in lieu of notice, and so it is ordered that the respondent pays him 5 weeks x £133.76 = **£668.60**.
9. The second claimant lost statutory rights as a result of his dismissal and the respondent is ordered to pay him **£500**.
10. By consent, the second claimant is owed **£401.28** in accrued but untaken holiday pay and it is ordered that the respondent pay him that sum.
11. The respondent failed to provide the second claimant with a written statement of particulars of employment and it is considered just and equitable to award the higher amount of 4 weeks' pay in compensation, that being **£535.04**.
12. Consequently, the total amount which the respondent is ordered to pay the second claimant is **£2,372.64**.

Signed:

Employment Judge Fredericks

20 October 2022

Sent to the parties on:
04 November 2022.

For the tribunal office:

Note: Full reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless requested in writing within 14 days of the sending of this judgment.