



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss K Kirby

**Respondent:** Burieka & Co Limited

**Heard at:** Bristol (via VHS) **On:** 13 January 2023

**Before:** Employment Judge Leith

## Representation

**Claimant:** In person

**Respondent:** No attendance or representation

# JUDGMENT

1. The claimant was dismissed by reason of redundancy and is entitled to a statutory redundancy payment of **£3,264** (6 x weekly pay capped at £544 per week).
2. The respondent has also made an unauthorised deduction from the claimant's wages by failing to pay the claimant in lieu of accrued but untaken annual leave on the termination of employment, and the respondent is ordered to pay the claimant the sum of **£1,980** being the gross sum due (18 days leave x gross daily pay of £110).
3. The respondent was in breach of contract by dismissing the claimant without notice, and the respondent is ordered to pay the claimant damages of **£3,300** for that breach being the gross sum due (6 weeks notice x gross weekly pay of £550). The award is for net loss, but damages have been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as post-employment notice pay.

Employment Judge Leith

Date: 13 January 2023

Judgment sent to the Parties: 24 January 2023  
FOR THE TRIBUNAL OFFICE

## 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.