



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss J Duck

**Respondent:** Jonathan Kay Limited

## JUDGMENT

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

1. The respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the gross sum of **£890** (7 days worked from 1 - 7 September).
2. The claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages to the claimant in the gross sum of **£7,753.84** (£646.15 weekly pay x statutory notice of 12 weeks = £7,753.84)
3. The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of **£17,130** (1.5 weeks' pay for every year over the age of 41 capped at 20 years x £571 weekly wage cap = 30 x £571 = £17,130).
4. The respondent has failed to pay the claimant's untaken accrued annual leave entitlement of 1 month and is ordered to pay the claimant the sum of **£2,800**.
5. The claimant will be responsible for paying any tax liabilities arising out of the gross award if they receive the gross figure and tax is not deducted from source.

Employment Judge Mark Butler

Date: 20 July 2023

JUDGMENT SENT TO THE PARTIES ON

28 July 2023

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2409627/2022**

Name of case: **Miss J Duck** v **Jonathan Kay Ltd**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

**the relevant decision day** in this case is: 28 July 2023

**the calculation day** in this case is: 29 July 2023

**the stipulated rate of interest** is: **8% per annum.**

For the Employment Tribunal Office