



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A Gilbey

**Respondent:** Pear UK West Limited

**Heard at:** Cardiff                      **On:** 24 August 2023

**Before:** Employment Judge S Moore

**Representation**

**Claimant:** In person

**Respondent:** Did not attend

## JUDGMENT

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

1. The claimant's claim of unfair dismissal contrary to section 94 Employment Rights Act succeeds.
2. The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of £1610.55.
3. The respondent is ordered to pay the claimant a compensatory award of £3665.91. Credit is given for a termination payment made by the respondent of £1088.25. The total compensatory award the respondent is ordered to pay is therefore £2577.66.
4. 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 net sum of £1402.00.
5. The respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the net sum of £210.00.
6. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the net sum of £140.00.

7. The respondent was in breach of its duty to the claimant under section 4 (1) Employment Rights Act 1996. The respondent is ordered to pay the claimant 4 week's pay, the net sum of which is £1402.00.

Employment Judge S Moore

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Date: 24 August 2023

JUDGMENT SENT TO THE PARTIES ON 29 August 2023

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE Mr N Roche