



EMPLOYMENT TRIBUNALS

Claimant: Mr I Byrne
Respondent: Caldera Construction Ltd
Heard at: East London Hearing Centre
On: 5 October 2023
Before: Regional Employment Judge Burgher

Appearances

For the Claimant: In person
For the Respondent: Did not attend

JUDGMENT

1. The Claimant worked as a builder for the Respondent from 23 July 2014 to 6 February 2023. He was paid £1093.76 gross pay per week.
2. The Claimant's claims for redundancy pay, unpaid notice pay and unpaid holiday pay succeed.
3. The Claimant has not pursued his claim for £400 a month for expenses incurred in travelling to and from building sites and this claim is dismissed.
4. The Respondent has failed to provide the Claimant with a written statement of terms and conditions and the Respondent is ordered to pay the Claimant 4 weeks pay pursuant to section 38 of the Employment Act 2002 for this failure.
5. The Respondent is ordered to pay the Claimant the total sum of £22,479.87 in respect of his successful claims. This consists of:

5.1	Redundancy pay 8 x 1.5 x 571(capped weeks pay)	£6852.00
5.2	Unpaid notice pay 8 x £1093.76	£8750.08
5.3	Accrued holiday pay 4.2 x £1093.76	£4593.79

5.4	Section 38 award	4 x 571 (capped)	£2284.00
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**Regional Employment Judge Burgher
Dated: 5 October 2023**