



EMPLOYMENT TRIBUNALS

Claimant: Ms R Bailey

Respondent: 1. Optimistic Fox Ltd (in Liquidation)
2. The Secretary of State for Business Energy and Industrial Strategy

Held at: London South Employment Tribunal by video

On: 28 September 2023

Before: Employment Judge Burge

Representation

Claimant: In person, accompanied by litigation friend Ms J Cove.

Respondent 1: Did not attend

Respondent 2: Ms Ware (RPS Tribunal representative)

JUDGMENT

The Judgment of the Tribunal is:

1. The Claimant was an employee of the First Respondent; and
2. The Claimant is entitled to the following sums, subject to an uplift to the National Minimum Wage amount and on the basis she worked 48 hours per week:

(a) Statutory Redundancy Pay

Monthly salary: £1,757.00

Weekly salary: £405.46 (£1,757.00 x 12 month = £2,1084.00 / 52 weeks = £405.46)

Employment Period: 7 Years

Entitlement period: 8 weeks

£405.46 x 8 = £3,243.68

(b) Holiday Pay

Entitlement: 28 days

Days untaken: 20 days (20 days / 5 days per week = 4 weeks)

Weekly salary (as above): £405.46
£405.46 x 4 weeks = £1,621.84

(c) *Notice Pay*

Years employed: 7 years
Statutory redundancy notice period: 7 weeks
Weekly salary (as above): £405.46
£405.46 x 7 weeks = £2,838.22

(d) *Arrears Pay*

Months unpaid: 4 months, 20 days
Claimable period: 4 weeks
Weekly salary (as above): £405.46
£405.46 x 4 weeks = £1,621.84

Employment Judge **Burge**

Date 28 September 2023

Notes: 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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.