



EMPLOYMENT TRIBUNALS

Claimant: Mr D Flanagan
Respondent: A1 Stockton Ltd (in Liquidation)
Heard at: Newcastle Employment Tribunal (by CVP)
On: 10 November 2023
Before: Employment Judge Elliott

Representation:

Claimant: In person
Respondent: Did not attend

JUDGMENT ON REMEDY

Further to the judgment on liability of 27 September 2023, and in the continued absence of the respondent, the following judgment on remedy is given.

1. In respect of the claimant's claim for unauthorised deduction of wages pursuant to section 13 of the Employment Rights Act 1996, the respondent is ordered to pay to the claimant the gross sum deducted, which is £2,348.96. This sum is subject to applicable deductions for tax and employee national insurance contributions.
2. In respect of the claimant's claim for a redundancy payment pursuant to section 163 of the Employment Rights Act 1996, the claimant is entitled to a statutory redundancy payment of £10,315.80.
3. In respect of the claimant's claim for notice pay, the respondent shall pay the claimant the gross sum of £4,126.32 as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax and on it as post-employment notice pay.
4. In respect of the claimant's claim for accrued and outstanding holiday pay pursuant to Regulations 14 and 16 of the Working Time Regulations 1998, no sum is due as the claimant had taken all holiday accrued as at the termination date.
5. The claimant may find it helpful to refer to the following guidance on Employment Tribunal judgments: <https://www.gov.uk/government/publications/employment-tribunal-hearings->

judgment-guide-t426/employment-tribunals-the-judgement-t426#redundancy-and-other-payments-and-insolvent-employers

Employment Judge Elliott

Date: 10 November 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.