



EMPLOYMENT TRIBUNALS

Claimant: Mr Brian Kipling

Respondent: (1) Rooflight Architectural LTD (In Voluntary Liquidation)

(2) The Secretary of State for Business, Energy and
Industrial Strategy

Heard at: Newcastle Employment Tribunal

On: 7th December 2023

Before: Employment Judge McGregor

By: Hybrid hearing

Representation

Claimant: In person

Respondent 1: Unrepresented

Respondent 2: Mr Parag Soni, Lay Representative appearing on behalf of
The Secretary of State for Business, Energy and Industrial Strategy

JUDGMENT

1. On a reference by the Claimant under **s170 Employment Rights Act 1996** ('ERA') issued on the 14th June 2023, the Tribunal determines that:

1.1. The Claimant was employed under a contract of employment with the First Respondent for 18 hours a week;

1.2. The First Respondent is liable to pay the Claimant an "employers payment" within the meaning of **section 166(2)(a) ERA**, namely a redundancy payment.

1.3. The employer's payment is payable by the Second Respondent.

1.4. The amount having been agreed, the Second Respondent is ordered to pay the Claimant the sum of £4,413.29 in respect of the employer's payment.

2. On a complaint against the Second Respondent under **section 188 ERA** for payments under **section 182** of that Act, relating to arrears of pay, notice pay and holiday pay, the Second Respondent agrees and the Tribunal declares that she shall make payment to the Claimant in the following sums:
 - 2.1. £1,384.56 in relation to 8 weeks arrears of pay
 - 2.2. £173.07 in relation to 1 weeks notice pay
 - 2.3. £28.86 in relation to 1 day unpaid and untaken annual leave (9.62 (hourly rate) x 3 (hours worked per day)).
3. The Second Respondent is ordered to pay the Claimant the total sum of **£5,999.78**, within 14 days of the receipt of this order.

Employment Judge McGregor

Date 18 December 2023

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