



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Darren Dunne

**Respondent:** Marrows Limited (in voluntary liquidation)

**Heard at:** Southampton (by CVP)

**On:** 24 November 2023

**Before:** Employment Judge H Lumby

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Did not attend

# JUDGMENT

The judgment of the Tribunal is as follows:

## Notice Pay

1. The complaint of breach of contract in relation to notice pay is well-founded.
2. The respondent shall pay the claimant **£1500** 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 on it as Post Employment Notice Pay.

## Holiday Pay

3. The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.
4. The respondent shall pay the claimant **£1,010.77**. The claimant is responsible for paying any tax or National Insurance.

## Redundancy Payment

5. Under section 163 Employment Rights Act 1996 it is determined that the claimant is entitled to a redundancy payment of **£692.30**.

**Employment Judge Lumby  
24 November 2023**

Judgment sent to the parties on: 13 December 2023

For the Tribunal:

### **Note**

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

### **Public access to employment tribunal decisions**

Judgments (apart from judgments under rule 52) and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

### **Recording and Transcription**

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>