

Case number: 2600637/2023
2600742/2023



EMPLOYMENT TRIBUNALS

Claimant: Mr David Kushner

Respondent: D & M Haulage Limited (In Voluntary Liquidation)

AT A FINAL HEARING

Heard at: Lincoln, in public **On:** 7 September 2023

Before: Employment Judge Clark (sitting alone)

Appearances

For the Claimant: Mr Kushner in person

For the Respondents: Did not attend and was not represented

JUDGMENT

UPON the respondent failing to enter a response.

AND UPON the tribunal accepting the evidence of earnings and losses provided by the claimant.

The Judgment of the tribunal is that: -

1. The claimant was unfairly dismissed on 3 March 2023.
2. The claimant is entitled to a statutory redundancy payment. (That payment has already been satisfied by the Redundancy Payments Service in the sum of **£5787**)
3. The claimant is entitled to compensation for unfair dismissal in the sum of **£2407.86** (made up of 4 weeks loss of net wages to 31 March 2023 in the sum of £2,336.36 and £71.50 loss of employer's pension contribution for the same period).

Case number: 2600637/2023
2600742/2023

4. The claimant is entitled to compensation of **£1,285** for accrued but untaken annual leave outstanding at the date of termination of 2.2 weeks. (2.2 x £584.09)
5. At the date of presentation of the claim form, the respondent was in breach of its duty to provide a written statement of the main terms of employment and, in accordance with section 38 of the Employment Act 2002, shall pay the claimant the further sum of **£1,142.**

Employment Judge Clark

27 September 2023

Sent to the parties on:

13th October 2023

.....

For the Tribunal:

.....

Note

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.