



EMPLOYMENT TRIBUNALS

Claimant: Mr Paul Proud
Mr David Welsh

Respondent: Blaze Maintenance Limited (in voluntary liquidation)

Heard at: London South, by CVP

On: 12 January 2024

Before: Employment Judge Rice-Birchall

Representation

Claimant: Ms Bowman

Respondent: No appearance

JUDGMENT

Mr Paul Proud

Notice Pay

1. The complaint of breach of contract in relation to notice pay is well-founded.
2. The respondent shall pay the claimant £3206.36 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.

Redundancy Payment

3. Under section 163 Employment Rights Act 1996 it is determined that the claimant is entitled to a redundancy payment of £2, 893.50.

Protective award

4. The Tribunal declares that the respondent has failed to comply with the collective redundancy obligations of section 188 of TULR(C)A 1992 and the claimant is ordered a protective award of £9619.08.

Mr David Welsh

Notice Pay

5. The complaint of breach of contract in relation to notice pay is well-founded.

6. The respondent shall pay the claimant £7937.40 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.

Redundancy Payment

7. Under section 163 Employment Rights Act 1996 it is determined that the claimant is entitled to a redundancy payment of £17,682.50.

Protective award

8. The Tribunal declares that the respondent has failed to comply with the collective redundancy obligations of section 188 of TULR(C)A 1992 and the claimant is ordered a protective award of £7937.40

Employment Judge Rice-Birchall
Date **12 January 2024**

JUDGMENT SENT TO THE PARTIES ON
25 January 2024

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FOR THE TRIBUNAL OFFICE

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.

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/>