



EMPLOYMENT TRIBUNALS

BETWEEN

CLAIMANT

AND

RESPONDENT

Mr R. Duffy

(trading as 'Unique Windows')

Mr S. Fleetham

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Held by Cloud Video Platform on Monday, the 20th November 2023

Employment Judge: Mr David Harris (sitting alone)

Representation:

For the Claimant: In person

For the Respondent: No appearance

Upon hearing the Claimant's claims for notice pay and unpaid holiday pay

And upon hearing oral evidence from the Claimant under affirmation

JUDGMENT

1. The Claimant's claim for statutory notice pay is well founded and the Respondent is ordered to pay to the Claimant one week's notice pay in the sum of £534.00 (net) following the Respondent's dismissal of the Claimant without notice on the 20th March 2023. This is a net award and the Respondent shall be liable to HMRC for any payments of tax and national insurance thereon.
2. The Claimant's claim for unpaid holiday pay is well founded. At the time of his dismissal on the 20th March 2023, the Claimant was owed 4-and-a-half days of holiday pay by the Respondent. The Respondent is ordered to pay to the Claimant 4-and-a-half days holiday pay in the sum of £480.60 (net). This is a net award and the Respondent shall be liable to HMRC for any payments of tax and national insurance thereon.
3. The Respondent is ordered to pay to the Claimant an award under section 38 of the Employment Act 2002 by reason of the Tribunal's finding that the Respondent had failed to provide the Claimant with written terms of his employment, which commenced on the 1st May 2021, prior to his dismissal on the 20th March 2023. The award under section 38 of the Employment Act 2002 is 4 weeks' net pay, which amounts to a total sum of £2,136.00.
4. The total sum to be paid by the Respondent to the Claimant under this judgment (inclusive of notice pay, holiday pay and the award under section 38 of the Employment Act 2002) is £3,150.60, which shall be paid by the Respondent to the Claimant by 4pm on the 4th December 2023.

Employment Judge David Harris

Dated: 20th November 2023

Judgment entered in Register
and copies sent to parties on
24 November 2023

for Secretary of the Tribunals
Mr N Roche