



EMPLOYMENT TRIBUNALS

Claimant

Mr S Hakin

Respondents

1. Accent Menswear Ltd
2. Accent Clothing Ltd
3. Mr I Kelly

Heard at: Leeds by CVP

On: 9 May 2024

Before: Employment Judge Davies

Appearances

For the Claimant:

Mr Proffitt (counsel)

For the Respondents:

1 and 2: Mr M Haycox

3: Mr Kelly in person

JUDGMENT

1. All claims against the Third Respondent are dismissed on withdrawal by the Claimant.
2. The complaints of age-related harassment against the First and Second Respondents are dismissed on withdrawal by the Claimant.
3. The response of the Second Respondent to the complaints of unfair dismissal (liability), failure to pay notice pay in breach of contract, failure to pay for accrued but untaken holiday, and entitlement to a redundancy payment has no reasonable prospect of success and is struck out pursuant to Employment Tribunal Rule 37.
4. Pursuant to Employment Tribunal Rule 21:
 - 4.1 The complaint of unfair dismissal against the Second Respondent is well-founded and succeeds. The remedy payable by the Second Respondent for unfair dismissal will be determined at a hearing.
 - 4.2 The complaint of failure to pay notice pay in breach of contract against the Second Respondent is well-founded and succeeds. The Second Respondent shall pay the Claimant **£4,780.56**.
 - 4.3 The complaint of failure to pay for accrued but untaken holiday against the Second Respondent is well-founded and succeeds. The Second Respondent shall pay the Claimant **£637.40**.
 - 4.4 The Claimant is entitled to a redundancy payment. The Second Respondent shall pay the Claimant **£11,951.40**.
5. These are gross sums. If any tax or national insurance is payable in respect of notice pay or holiday pay, the Claimant is responsible for paying it.

**Employment Judge Davies
9 May 2024**

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. If written reasons are provided they will be placed online.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. 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.