



EMPLOYMENT TRIBUNALS

Claimant: Mr A Smith
Respondent: Mark Swatts Morse LLP
Heard at: Newcastle (by CVP)
On: 17 June 2024
Before: Employment Judge Loy (sitting alone)

Representation

Claimant: In person
Respondent: Ms A Swatt, solicitor (in attendance)

JUDGMENT

The Judgment of the Employment Tribunal is that:-

1. The claimant's claim for a statutory redundancy payment is well founded and succeeds.
2. The claimant's claim for unpaid holiday pay is well founded and succeeds.
3. The claimant's claim for unpaid wages is well founded and succeeds.
4. The claimant's claim for unpaid pensions contributions was withdrawn.

REMEDY

The Judgement of the Employment Tribunal on remedy is that:

1. The respondent shall pay to the claimant the total gross sum of **£21,204.58**.
2. The has been calculated in the following way:
 - a. A Statutory Redundancy Payment of **£12,538.50**.
 - b. Unpaid wages: (A) 2 months and (B) 5 days outstanding: A: 2 months @ £3,083.33 gross per month = £6,166.66; B 5 days @ £145.60 gross per day = £728.00: A + B = **£6,894.66**.

- c. Unpaid holiday pay: 12.4 days accrued unpaid holiday @ £142.85 gross per day = **£1,771.42**.

Employment Judge Loy

18 June 2024

SENT TO THE PARTIES 28 June 2024

Julie Davies

FOR EMPLOYMENT TRIBUNALS

Public access to employment tribunal decisions

“All judgments (apart from those under rule 52) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.