



# EMPLOYMENT TRIBUNALS

**Claimant**

Mr. D. Perkins

AND

**Respondent**

Car Parts (GB) Limited

**HEARD AT: Cambridge Tribunal**

(via CVP)

**ON: 1 July 2024**

**BEFORE: Employment Judge Douse (Sitting alone)**

**Representation**

**For Claimant:** In person

**For Respondent:** Non-attendance

## JUDGMENT

1. The Claimant's claim for unfair dismissal is dismissed upon withdrawal.
2. The Claimant's claim for a redundancy payment is well-founded and accordingly succeeds. The respondent is ordered to pay the Claimant a redundancy payment of **£11,328.48** (gross)

*In respect of any gross amount, the respondent can comply with this element of the award by deducting and paying any relevant tax and national insurance, and by providing evidence that this has been paid, before paying the net amount to the claimant. If this is not done, the gross amount is payable to the claimant.*

## Schedule

### Redundancy

8 years at: 1.5 weeks (age 41 and over during employment) x £ 474.27 per week  
= £5.691.24

12 years at: 1 week (between age 22 41 during employment) x £ 474.27 per week  
= £5.691.24

**Total = £11,328.48**

*Interest accrues at a daily rate of 8% from the date of judgment, unless payment is made within 14 days.*

## REASONS

1. This case was before me for a remedy hearing today. However, no Judgment had been issued. On 20 March 2024, the Tribunal sent out correspondence advising that a judgment “*may now be issued*” under the provisions in Rule 21, as no response was received from the Respondent. On 4 April 2024, a notice of remedy hearing was sent out to the parties. There was no judgment in the intervening period.
2. I was satisfied that, on the available material, a determination could properly be made in relation to the claim for a redundancy payment.
3. I was not satisfied that, on the available material, a determination could properly be made in relation to the claim for unfair dismissal.
4. The main basis for the Claimant’s unfair dismissal claim was that, although the Respondent had said that everyone was being made redundant, a number of people continued to work there after the Claimant’s employment was terminated. He asserts that his dismissal was not for the reason of redundancy, and is therefore unfair. He had provided the Tribunal with a variety of screenshots, including:

- 4.1. From Facebook Messenger purporting to show that the company page was still active and in business after the Claimant's termination
  - 4.1.1. None of these show the Respondent's Facebook account details, only those of the other participant in the message chat
- 4.2. From messages with friends/colleagues, purporting to show that other people continued to work for the Respondent after the Claimant's termination
  - 4.2.1. Some of these do not contain the full date of the message conversation, for example the year is missing
  - 4.2.2. There are references to first names with no other details, and no information to verify that, if they were working for the Respondent, they were not simply new employees
- 4.3. Of photographs purportedly showing other employees still working for the Respondent after the date they were supposed to have been made redundant
  - 4.3.1. There is no way of identifying who is in the photographs
  - 4.3.2. There is no information to verify that, if they were working for the Respondent, that they were not simply new employees
5. I explained the difficulties to the Claimant and suggested that he could have the opportunity to provide additional evidence, including a witness statement, in relation to the unfair dismissal claim. Then, it was possible to properly determine the claim based on any further available evidence that could be done, otherwise a fuller hearing would be necessary (even if the Respondent did not attend). I proposed that he could get advice on the merits of continuing to pursue the claim before making a decision.
6. We took a break so that he could be joined by his partner and go through the options with her. Ms Louise Hyde attended with the Claimant, and I went through everything again.
7. After consideration, the Claimant decided that he wanted to conclude matters today, and on that basis withdrew his claim for unfair dismissal.

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Employment Judge K Douse

Dated: ...1 July 2024.....

Sent to the parties on: 21 August 2024

For the Tribunal Office

**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.**