



EMPLOYMENT TRIBUNALS

Claimant and **Respondent**

Neil Timmins

Sterling Preservation Limited
(In Liquidation)

Held at: Exeter by Video

On: 20 February 2026

Before: Employment Judge Smail

Appearances

Claimant: Ms C. Kay (CAB)

Respondent: No appearance

The Claimant having been dismissed summarily upon attempting to return to work from a period of sickness, and the Respondent not having defended proceedings, and liquidators having provided implied consent to the proceedings, the Employment Judge makes the following: -

JUDGMENT

1. The Claimant's claims of breach of contract for failing to pay notice pay, accrued but unpaid holiday pay, and unfair dismissal are well-founded.
2. The claim of disability discrimination is stayed and will be dismissed (because there is no point in pursuing it) after 6 months automatically unless restored by the Claimant (but only if there is a prospect of recovery in respect of it).
3. The Claimant had 5 years' complete service. His gross weekly pay was £810. He was aged over 41 years throughout the period of his employment.
4. The Respondent must pay the Claimant the following amounts:

(a) Notice pay (gross)

£4,050

(b) Holiday pay (25 days gross)	£4,050
(c) Unfair dismissal basic award (5 x1.5 x£700 cap)	<u>£5,250</u>

GRAND TOTAL £13,350

Employment Judge Smail
Date: 20 February 2026
South West Region

Judgment sent to the parties on
05 March 2026
