



EMPLOYMENT TRIBUNALS

Claimant: Mr Florin Draghici

Respondent: Extreme Rope Access Limited

Heard at: Watford in person

On: 7 September 2026

Before: Employment Judge MJ Smith

REPRESENTATION:

Claimant: Mr Albert Kurtyan

Respondent: Ms Rachel Bastin

REMEDY JUDGMENT

1. It is determined that the claimant is entitled to a redundancy payment of **£1438**.
2. There is no financial loss attributable to the failure to pay the redundancy payment.
3. The respondent shall pay the claimant **£2600** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.
4. The respondent shall pay the claimant **£1438** in respect of the failure to provide written particulars.

REASONS

Introduction

1. This case was listed for a one day remedy hearing after I delivered a reserved judgment dated 13 April 2026 and sent to the parties on 14 May 2026.
2. The remedy hearing was in respect of unfair dismissal on the grounds of redundancy, notice pay and failure to provide a written statement of employment particulars.

The evidence before me

3. The tribunal was provided with a bundle for the remedy hearing provided by the respondent of 167 pages. There were no witness statements. The tribunal heard evidence from the claimant and Mr Stefan Prozsa.
4. Having heard the evidence and read such documents as were referred to in the hearing bundle I made the following findings of fact.

My findings of fact

5. I found that the claimant's daily rate of pay while working at the respondent was £260 per day gross at the effective date of his termination on 9 November 2024. This was not disputed by either party. I had previously found that the claimant started working for the respondent on 20 October 2020 and that his employment terminated on 9 November 2024.
6. I found that the claimant was entitled to two weeks redundancy pay for the two week consultation period which should have happened. This payment is capped at £719 gross weekly pay.
7. The evidence from Mr Prozsa was that there are only three employees remaining in the business including himself. Mr Prosza is a Level 3 rope technician with two junior employees. There is no work available for the claimant and no job for him at the respondent.
8. The claimant's evidence was that he applied for jobs after he had finished working at the respondent. The evidence shows that he started to apply for work from about 27 October 2024 which was a few days after he had been given his notice. The final entry in relation to the claimant's job search was on 24 November 2024. This

occurred within the additional two weeks' notice period I have already identified. The claimant accepted that he could not recall when he obtained a new job. He also explained that winter is a quiet period for rope access technicians due to the weather. He accepted that he had not tried to find work in any other field. I found that the claimant could have looked for work in a different field especially as he knew that winter would be a quiet period in any event. I found that the claimant was not entitled to a compensatory award because there was no identifiable financial loss.

9. The claimant gave evidence that he had worked every day from 24 October 2024 to 9 November 2024 and had received his pay for that period. I found that he had been paid two weeks of his notice pay for that period because notice was given on 24 October 2024. I found that the claimant was entitled to four week's notice pay because he had worked for the respondent for four years. I found that the claimant was owed an additional two weeks' notice pay because he had already worked two weeks of his notice period. I found that he was entitled to two weeks statutory notice pay capped at £719 gross per week.

Conclusions

10. There is no available work for the claimant at the respondent. I did not make an order for reinstatement or reengagement.
11. The redundancy payment owed to the claimant is two weeks' pay capped at £719 gross per week which is **£1438 gross**.
12. There is no order for a compensatory award.
13. The claimant is entitled to an additional two weeks' notice pay of £1300 gross per week which is **£2600 gross**. This is based on a daily rate of £260 gross per day working 5 days per week.
14. The claimant is entitled to two weeks' pay for the respondent's failure to provide written particulars capped at £719 gross per week which is **£1438 gross**.
15. The total amount payable to the claimant is **£5476 gross**.

Approved by:

Case Number: 6008145/2025

Employment Judge MJ Smith

8 September 2026

Judgment sent to the parties on:

12 October 2026

For the Tribunal:

Notes

Judgments (apart from judgments under rule 51) and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

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 and accompanying Guidance, which can be found at www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/