



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4101466/2022

Held via Cloud Video Platform (CVP) on 28 June 2022

Employment Judge: N Buzzard

5

Mr J Moles

**Claimant
In Person**

All Saints Construction Limited

**Respondent
No appearance and
No representation**

10

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The judgment of the Tribunal is as follows:

- 15 1. The claimant's claim for a redundancy payment is well founded and succeeds. The respondent is ordered to pay to the claimant a redundancy payment calculated in accordance with the statutory minimum formula of **£3,264**.
- 20 2. The claimant's claim that he was dismissed without statutory minimum notice is well founded and succeeds. The respondent is ordered to pay to the claimant compensation in the amount of **£10,000**, representing six weeks' gross pay. This compensation is taxable and must be declared by the claimant to HMRC as taxable income.
- 25 3. The claimant's claim arising from a failure to pay for accrued an untaken holiday is well founded and succeeds. The respondent is ordered to pay to the claimant compensation in the amount of **£5,486.15**, that amount being the sum stated by the respondent as representing the claimant's untaken leave on termination of employment. This compensation is taxable and must be declared by the claimant to HMRC as taxable income.
- 30 4. The claimant's claim of unfair dismissal is well founded and succeeds. The respondent is ordered to pay to the claimant compensation in the amount of **£23,820**. This sum represents loss of earnings to date of £7,450, loss of pension benefits to date of £770 and future loss of earning of £15,600.

5. The claimant's claim that he was subjected to a deduction from his wages in December 2021 is not well founded and is dismissed. The claimant's employment terminated at the end of November 2021.

The recoupment regulations do not apply.

5

Employment Judge: Neil Buzzard
Date of Judgement: 28 June 2022
Entered in register: 29 June 2022
And copied to parties

10

Note

- 15 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.