

THE INDUSTRIAL TRIBUNALS

CASE REF: 1131/13

CLAIMANT: Jonathan McElwee

RESPONDENT: City Industrial Waste

DECISION

- (A) The claimant's holiday pay is well-founded and it is ordered that the respondent shall pay to the claimant the sum of £492.80 in respect of 8 days accrued holiday. $\text{£}7.70 \text{ per hour} \times 8 \text{ hours} \times 8 \text{ days not taken} = \text{£}492.80$
- (B) The claimant's claim for notice pay is well-founded and it is ordered that the respondent shall pay to the claimant the sum of £638.58 in respect of notice pay for 3 weeks which the claimant could not work, less social security benefits. $\text{£}263.86 - \text{£}36.00 = \text{£}227.86 \times 3 = \text{£}683.58$
- (C) The claimant's redundancy pay claim against the respondent is well-founded and it is declared that the respondent is ordered to make a redundancy payment of £1540 to the claimant, calculated as follows: $\text{£}308 \times 5 = \text{£}1540$

Constitution of the Tribunal:

Chairman (sitting alone): Ms McCaffrey

Appearances:

The claimant was self represented.

The respondent was debarred from participating in the hearing because the respondent did not present a response within the relevant time-limit.

REASONS

1. I announced my decision at the end of the hearing. At the same time, I gave brief oral reasons for that decision.
2. This Decision is based on the following information:
 - Gross weekly pay: £308
 - Net weekly pay: £263.86
 - Number of actual completed years of service: 5
 - Age on date of dismissal: 38
 - Multiplier (for redundancy pay): 5
3. This is a relevant decision for the purposes of the Industrial Tribunals (Interest) Order (Northern Ireland) 1990.

Chairman: _____

Date and place of hearing: 1st August 2013, Belfast


Date decision recorded in register and issued to parties:

**INTEREST NOTICE
INDUSTRIAL TRIBUNALS
INTEREST ON AWARDS IN NON DISCRIMINATION
CASES**

The Industrial Tribunals (Interest) Order (Northern Ireland) 1990 provides that interest shall accrue on a sum of money payable as a result of a decision of an industrial tribunal where that sum remains unpaid in whole or part 42 days after the day the decision of the tribunal was issued to the parties. 'Decision day' in this context means the day the decision of the tribunal was issued to the parties and 'calculation day' means the day immediately after the expiry of the period of 42 days from (and including) the decision day. The 'stipulated rate of interest' is the rate of interest in force on amounts awarded by decree in the county court on the decision day. Interest does not accrue on costs or expenses awarded by the tribunal.

In this claim, please note that -

1. the decision day is 1st August 2013 being the day the decision was sent to the parties;
2. the calculation day is 12th September 2013 being the day immediately after the expiry of the period of 42 days from and including the decision day; and
3. the stipulated rate of interest is 8% being the rate of interest in force on amounts awarded by decree in the county court on the decision day.



Secretary of the Tribunals

