



EMPLOYMENT TRIBUNALS

Claimant: Mr B Brown
Respondent: Acorn Sheetmetal Limited

AT A HEARING

Heard at: Hull **On:** 5th August 2022
Before: Employment Judge Lancaster

Representation

Claimant: In person
Respondent: Did not attend, and no application for a postponement

JUDGMENT

1. Pursuant to rule 47, having proceeded in the absence of the Respondent and heard evidence from the Claimant it is declared:
 - 2.1 The Claimant was dismissed by reason of redundancy on 23rd March 2022.
 - 2.2 The Claimant is entitled to a statutory redundancy payment, calculated on the basis of 7 years both presumed under section 210 (5) and actual continuous employment, applying section 97(2) of the Employment Rights Act 1996, at 1 weeks pay for each year served.
 - 2.3 The Claimant was wrongfully dismissed in breach of his contractual and statutory right to 6 weeks notice.
This is corrected from the decision announced orally, which incorrectly stated 7 weeks, when the Claimant in fact had only 6 years completed full employment up to the date of termination
 - 2.4 The Respondent has made an unauthorised deduction from the Claimant's wages by not paying him for the 3 days 21st to 23rd March 2022 at the temporarily reduced rate which was then applied during a period of lay-off.
 - 2.5 The Respondent never provided the Claimant with a written statement of the terms and conditions of employment as required by Part I of the Employment Rights Act 1996 , and is therefore liable to pay a further award pursuant to section 38 of the Employment Act 2002
3. The Respondent is therefore ordered to pay compensation to the Claimant as follows:

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3.1	Redundancy payment	£3,371.55
3.2	Pay in lieu of notice	£2,892.24 gross
3.3	3 days wages @ £30.00 per day	£90.00 gross
3.4	Additional award of 2 weeks pay	<u>£964.08</u>
		£7,317.87

Philip Lancaster

EMPLOYMENT JUDGE LANCASTER
DATE 5th August 2022

JUDGMENT SENT TO THE PARTIES ON
Date: 16th August 2022

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

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