



EMPLOYMENT TRIBUNALS

Claimant: Mr B Balasubramaniam

Respondent: Brisko Scaffolding t/a Brisko Metal Resources

Heard at: Croydon via CVP **On:** 3/3/2022 and 4/3/2022

Before: Employment Judge Wright

Representation:

Claimant: Miss A Johns - counsel

Respondent: Ms B Samuels - solicitor

JUDGMENT

The Judgment of the Tribunal is that the claimant's role was genuinely redundant, however the dismissal was procedurally unfair to the extent that the respondent should have communicated more openly, discussed any vacancies it had and not made assumptions for or about the claimant.

The claim for the balance of two weeks' notice pay succeeds.

The claim for 20% net monthly salary for four months also succeeds.

The remaining claims fail and are dismissed.

The Tribunal therefore awards the following sums:

One month's net pay £1,833.04

Loss of statutory rights £500

Two weeks' gross pay as the balance of the notice period £1,153.85 (the claimant will have to account to HMRC to tax and NIC)

Four months' net pay at 20% which represents the balance of the payment paid to the claimant under the CJRS £1,466.40

Total award £4,953.29

Employment Judge Wright

Dated: 4 March 2022

Notes

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.

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Judgments 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.