



EMPLOYMENT TRIBUNALS

Claimant: Mr B Bailey

Respondent: Regent Decorators Limited

JUDGMENT ON LIABILITY AND REMEDY

Employment Tribunals Rules of Procedure 2013 – Rule 21

The Claimant's claim for a redundancy payment pursuant to sections 148 and 162 of the Employment Rights Act 1996 and notice pay pursuant to section 86 of the Employment Rights Act 1996, are well-founded.

1. The respondent is ordered to pay to the claimant notice pay in the sum of £5,520. This is a gross award and the claimant shall be liable to the Inland Revenue for any payment of tax and national insurance thereon.
2. The claimant is entitled to receive a redundancy payment in the sum of £12,420.
3. **Total award = £17,940.00**

REASONS

1. The claimant submitted his ET1 form to the Employment Tribunal on 20 May 2022. A copy of the claim form was forwarded to the respondent at their registered office address by the Tribunal on 27 May 2022 and the Respondent had until 24 June 2022 to file a response.
2. As no response has been received by the Tribunal from the respondent, the above Judgment has been entered without a hearing on the basis of the information provided by the claimant and in accordance with Rule 21 of the Employment Tribunal Rules of Procedure 2013.
3. The claimant has claimed he was employed from 1 June 2004 to 28 April 2022 and was earning £460 gross per week. The claimant was aged 57 years old at the time his employment came to an end. He completed three full years of employment whilst he was under the age of 41 years and 16 years of employment whilst he was aged over 41 years. The statutory redundancy calculation, as set out in section 162 of the Employment Rights Act 1996, entitled the claimant to receive 3 years pay at £460 and 16 years pay multiplied 1.5 times at £460. This gives a grand total of £12,420. The claimant is entitled to receive a redundancy payment in the sum of £12,420.

4. The claimant was entitled to receive 12 weeks' notice for which he was not paid. The respondent is ordered to pay to the claimant notice pay calculated at the rate of £460 per week for a period of 12 weeks which gives a grand total of £5,520. This is a gross award and the claimant shall be liable to the Inland Revenue for any tax and national insurance payments thereon.

Employment Judge Arullendran

Date: 28 June 2022

JUDGMENT SENT TO THE PARTIES ON

29 June 2022