



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4100793/2017**

**Employment Judge: Susan Walker**

**Mr M Antcliffe**

**Claimant**

**Halo Express**

**Respondent**

## **JUDGMENT**

### **Rule 21 of the Employment Tribunal Rules of Procedure 2013**

No response has been presented to this claim and an Employment Judge has decided to issue the following judgment on the available material under Rule 21:

1. The claimant was dismissed in breach of contract in respect of notice and the respondents are ordered to pay damages to the claimant in the sum of £2,200 (Two Thousand, Two Hundred Pounds) being 4 weeks wages in lieu of notice.
2. The claimant was unfairly dismissed. He is awarded 7.5 weeks wages as the Basic Award given that he was 60 at date of termination of employment and had 5 years complete service. His weekly wage was £550. The Basic Award is £4,125 (Four Thousand, One Hundred and Twenty Five Pounds). The respondents are ordered to pay this amount to the claimant.
3. The claimant was without work for 2 months following his dismissal. The respondents are ordered to pay to the claimant 9 weeks wages, £4,950 (Four Thousand, Nine Hundred and Fifty Pounds) as the Compensatory Award.
4. The respondents have failed to pay the claimant's holiday entitlement and are ordered to pay the claimant the sum of £2,121.43 (Two Thousand, One Hundred and Twenty One Pounds, Forty Three Pence) being 3 weeks and 6 days of holidays accrued but untaken at time of termination of employment. The respondents are ordered to pay that amount to the claimant.

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5. The respondents did not provide the claimant with a written statement of employment terms. In terms of Section 38 of The Employment Act 2002 the Tribunal makes an award of 2 weeks pay £1,100 (One Thousand, One Hundred Pounds). The respondents are ordered to pay that amount to the claimant .

Employment Judge: Susan Walker

Date of judgment: 31 July 2017

Entered in register and copied to parties: 1 August 2017