



EMPLOYMENT TRIBUNALS

Claimant: Mr D Keers
Respondent: Digital Express Ltd
Heard at: Remotely by Video Hearing System (VHS)
On: 10th February 2023
Before: Employment Judge Lambert

Representation

Claimant: Mr Keers, in person
Respondent: no attendance

JUDGMENT

1. In the absence of any Response being filed by the Respondent and an order barring the Respondent from participating; and the non- attendance of the Respondent at the hearing today, the complaints of non-payment of redundancy pay; holiday pay and notice pay succeed.
2. The Claimant is entitled to be receive the following payments:

(i) **Statutory Redundancy Pay (“SRP”)**

The Claimant was employed from 17th March 2016 until his dismissal by reason of redundancy on 12th September 2022. He was 59 years old at the time of dismissal. His annual salary was £18,200. This equates to £350 gross per week and £315.36 net per week. These figures were agreed with the Claimant.

The SRP calculation is number of years’ service (6 years) x a multiplier based on age (6 years @ 1.5 = 9) x gross weekly wage (£350 – which is lower than the maximum cap) = 9 x £350 = **£3,150.00**.

(ii) **Notice Pay**

The Claimant was entitled to 6 weeks’ notice pay. This was calculated as a **net payment** of £315.36 x 6 = **£1,892.16**.

(iii) **Holiday Pay**

The Claimant did not receive holiday pay for the last 2 years. He calculated this as 5.6 weeks x 2 years, so 11.2 weeks in total.

$11.2 \times \text{£}315.36 = \text{£}3,532.03 \text{ net.}$

3. In total the Claimant is entitled to receive **£8,537.19 net.**

Employment Judge Lambert
Date: 10 February 2023

Judgment sent to the Parties: 23 February 2023

FOR THE TRIBUNAL OFFICE

Note

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.