



EMPLOYMENT TRIBUNALS

Claimant: Miss N Patterson

Respondent: Miramar 246 Limited (In voluntary liquidation)

JUDGMENT

1. The claim of unauthorised deduction of wages is well-founded and succeeds. The Respondent is ordered to pay to the Claimant the gross sum of **£150**.
2. The claim in respect of accrued but untaken holiday pay under Regulation 30 Working Time Regulations is well founded and succeeds. The Respondent is ordered to pay to the Claimant the sum of **£232**.
3. The claim of breach of contract in respect of the failure to give 2 weeks' notice is well founded and succeeds. The Respondent is ordered to pay to the Claimant damages in the sum of **£300**.
4. The claim for a statutory redundancy payment is well founded and succeeds. The Respondent is ordered to pay the Claimant a redundancy payment in the sum of **£150**.
5. The claim for unfair dismissal is well founded and succeeds. The basic award of compensation is negated by the statutory redundancy payment. The Tribunal does not make any compensatory award.
6. The total amount to be paid to the Claimant is **£832**.

REASONS

7. The Claimant was employed by the Respondent from **22 July 2020 to 03 May 2023** when she was dismissed without prior warning or notice by reason of redundancy. On **30 May 2023**, the Claimant presented a Claim Form to the Tribunal in which she claimed a redundancy payment, damages for wrongful dismissal (notice pay), outstanding holiday pay and arrears of pay and unfair dismissal.
8. The proceedings were served on the Respondent at its registered office with a response date of **28 July 2023**. However, no response was returned. Therefore, in accordance with rule 21 of the Tribunal Rules of Procedure an Employment Judge must decide whether on the available material a determination can properly be made of the claim or

part of it, and to the extent that a determination can be made, the Employment Judge must issue a judgment.

9. The Claimant's claim was one of a number of similar claims against the same respondent. Those claims were combined and listed for a case management preliminary hearing on 05 December 2023 at which further case management orders were made requiring further information from the Claimants.
10. Ms Patterson, who did not attend that hearing, complied with the directions on **08 December 2023** by sending further information regarding her claims. In that further information, she set out what amounts she was seeking.
11. At the date of termination of employment she was 19 years old and had two complete years of service with the Respondent. Her gross weekly pay was £150. For the purposes of calculating any statutory redundancy payment she is entitled to 0.5 week's pay for each full year worked when under the age of 22, resulting in a redundancy payment of £150.
12. She worked 20 hours a week at the gross hourly rate of £7.49. Her net weekly pay was £150. As at the date of dismissal, she was owed 20 hours' pay which was payable by 08 May 2023 and she had accrued 31 hours of untaken holiday, in respect of which she was not paid. No compensatory award was sought in respect of the complaint of unfair dismissal. In any event, the business closed as a result of liquidation with the result that termination of her employment was inevitable.
13. I was satisfied that I had sufficient material to properly determine the claims for redundancy, unfair dismissal, unlawful deduction of wages, holiday pay and notice. Therefore, it was appropriate for a judgment to be issued to that effect.

Employment Judge **Sweeney**

Date: 22 December 2023