



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4101769/2023**

**Robert McGinley**

**Claimant  
Represented by:  
Ms S Christie -  
Solicitor**

**Windsor Bespoke Joinery Limited**

**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 name of the Respondent is amended to Windsor Bespoke Joinery Limited.
2. The Claimant was unfairly dismissed and is entitled to a basic award in sum of £1,935 (3 years x £430 weekly pay x 1.5 for years over age 41).
3. The Claimant is entitled to notice pay in sum of £1,290 (3 weeks x £430)
4. The Claimant is entitled to statutory sick pay in sum of £765.80 (7 weeks x £109.40),

5. The Claimant is entitled to holiday pay in sum of £1,935 (22.5 days in 2022 x £86; no basis for carry forward from 2021 advised).
6. The Claimant is entitled to damages for breach of contract for failure to return materials in sum of £344.38.

**Employment Judge: M Sutherland**  
**Date of Judgment: 15 June 2023**  
**Entered in register: 15 June 2023**  
**and copied to parties**