



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A Neal

**Respondent:** (1) Redfern Stevens Limited  
(2) Secretary of State for Business and Trade  
(3) WRR Pedley & Co Limited

**Heard at:** Midlands West Employment Tribunal (by CVP)

**On:** 05 November 2024

**Before:** Employment Judge Hussain

## **Representation**

Claimant: In person

Respondent: (1) not in attendance/ not represented  
(2) not in attendance/ not represented  
(3) Mr Iain Lovejoy (Legal Executive)

# JUDGMENT

1. The Claimant was not automatically unfairly dismissed by the Third Respondent pursuant to regulation 7(1) of the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE 2006") as the dismissal was by reason of an economic, technical or organisational reason and the employment and liability did not transfer to the Third Respondent.
2. The Claimant's claims for redundancy pay, notice pay and arrears of pay against the Third Respondent are dismissed.
3. The Claimant was unfairly dismissed (per the Employment Rights Act 1996) by the First Respondent, by reason of redundancy, having been made redundant on 10 October 2022. The First Respondent is insolvent, as defined by section 166(5) of the Employment Rights Act 1996, and the Claimant's claims for redundancy pay, notice pay, and arrears of pay are pursued against the Second Respondent.
4. On a complaint by the Claimant under section 170 Employment Rights Act 1996, for payment under section 166(2)(a) Employment Rights Act 1996, namely a redundancy payment in the sum of £8,263.71 (based on a gross

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weekly pay of £393.51p and 15 years' service) the Tribunal declares that the Second Respondent shall make the payment to the Claimant.

5. On a complaint by the Claimant under section 188 Employment Right Act 1996 for payments under section 182 of that Act, namely notice pay in the sum of £4722.12 (based on a gross weekly pay of £393.51p and 15 years' service, capped at 12 weeks) and arrears of pay in the sum of £266 (based on a daily rate of £38 of statutory guarantee pay for the period an employee laid off) the Tribunal declares that the Second Respondent shall make the payments to the Claimant.
  
6. The Claimant's claim for holiday pay is dismissed upon withdrawal.

Employment Judge Hussain

Date 11 November 2024

Notes

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.

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