



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4104172/2020

Held in Glasgow by CVP on 8 and 9 December 2021

Employment Judge: Rory McPherson

Patricia Flynn

Claimant
In Person

Mikeylenn Ltd

Respondent
Represented by
G Kelly and M Lennon
Directors

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The judgment of the Employment Tribunal is that;

1. the respondent made unauthorised deduction of wages from the claimant's wages in the sum of **Six Hundred and Thirty Two Pounds and Sixty Four Pence (£632.17)**, being 11 weeks' pay at contractual rate of £57.47; and
2. the claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages in the sum of **One Hundred and Seventy Two Pounds and Forty One Pence (£172.41)**, being 3 weeks' notice contractual notice pay £57.47; and
3. the claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of **One Thousand One Hundred and Seventy Six Pounds and Eighty Eight Pence (£1,176.88)** calculated on average of paid wages 52 weeks prior to termination (£261.53 x 4.5 having

E.T. Z4 (WR)

regard to the claimant's age), the claimant having a period of 3 continuous years of service.

4. The respondent has failed to pay the claimant's accrued (6 March to 25 May) holiday entitlement and is ordered to pay the claimant the sum of **Seventy**
5 **One Pounds and Forty Three Pence (£71.43)**.
5. As the Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 do not apply, these sums are payable immediately by the respondent.

REASONS

- 10 Oral reasons were given at the hearing.

15 **Employment Judge: R McPherson**
Date of Judgment: 13 December 2021
Entered in register: 14 December 2021
and copied to parties