



## EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4104175/2020

Held in Glasgow by CVP on 8 and 9 December 2021

Employment Judge: Rory McPherson

Ryan 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 **Five Hundred and Sixteen Pounds and Sixty Pence (£516.60)**, being 12 weeks' pay at contractual rate of £43.05; 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 Twenty Nine Pounds and Fifteen Pence (£129.15)**, being 3 weeks' notice contractual notice pay £43.05; and
3. the claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of **Ninety Four Pounds and Thirty Nine Pence (£1,176.40)** calculated on average of paid wages 52 weeks prior to

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termination (£62.93 x 1.5 having 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 **Fifty Three Pounds and Fifty Pounds (£53.50)**.
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**