



EMPLOYMENT TRIBUNALS

Claimant: Miss C Smith
Respondent: Testerworld Limited (in administration)

Heard at: Bristol Employment Tribunal – by remote hearing
On: 9 September 2022

Before: Employment Judge Youngs

Representation
Claimant: In person
Respondent: Not in attendance

JUDGMENT

1. The Claimant's claim for statutory redundancy pay is dismissed on withdrawal.
2. The Claimant's claim for wrongful dismissal succeeds. The Claimant was entitled to notice pay of £3,000.93 gross (being 3 weeks at 1000.31 per week). The Claimant has received notice pay of £1,867.00 gross from the Insolvency Service. She is owed the balance of £1,133.93. The Respondent is therefore Ordered to pay the Claimant her outstanding notice pay of £1,133.93 gross.
3. The Claimant has been paid all outstanding holiday pay by the Insolvency Service. Accordingly her claim for holiday pay fails and is dismissed.
4. The Claimant's claim for unlawful deductions in respect of commission and bonus payments succeeds. The Respondent is Ordered to pay to the Claimant the sum of £583.12 gross.
5. The Tribunal declares that the complaint that the Respondent failed to comply with a requirement of section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 succeeds and makes a protective award in respect of the Claimant. The Respondent is Ordered to pay the Claimant £11,836.00, being remuneration for the protected period of 90 days from 9 May 2022 (the date of dismissal by reason of redundancy).

Employment Judge Youngs
Date of Judgment: 28 September 2022

JUDGMENT SENT TO THE PARTIES ON
05 October 2022 By Mr J McCormick

For the Tribunal Office

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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Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.