



EMPLOYMENT TRIBUNALS

Claimant: Mr A J Muskett

Respondent: Real Estate Agencies Limited

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages to the claimant in the gross sum of **£7,845.12** (12 weeks' notice x average weekly pay; $12 \times £653.76 = £7,845.12$)
2. The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of **£18,647** (1 weeks' pay for each full year worked when the claimant was aged over 22 and under 41 years; $1 \times 2 \times £643$ (pay is capped at £643) = £1,286, 1.5 weeks' pay for every complete year of service when the claimant was aged 41 or over; $1.5 \times 18 \times £643 = £17,361$. Total: $£1,286 + £17,361 = £18,647$. Length of service is capped at 20 years)
3. The respondent has failed to pay the claimant's untaken annual leave entitlement of 9.5 days on termination of employment and is ordered to pay the claimant the sum of **£985.72 (net)** (9.5 days of annual leave accrued but untaken x daily rate of £103.76 = £985.72)
4. The claimant will be responsible for paying any tax liabilities arising out of the gross award if they receive the gross figure and tax is not deducted from source.
5. Consequently, the respondent must pay the claimant the total sum (of paragraphs 1,2 & 3 above), of **£27,477.84**

Employment Judge Johnson

Date: 19 February 2024

JUDGMENT SENT TO THE PARTIES ON

28 February 2024

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2409682/2023**

Name of case: **Mr A J Muskett** v **Real Estate Agencies
Limited**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 28 February 2024

the calculation day in this case is: 29 February 2024

the stipulated rate of interest is: **8% per annum**.

For the Employment Tribunal Office