



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr R Fitzgerald  
**Respondent:** Tyne and Wear Property Services Limited  
**Heard at:** Newcastle (by CVP) **On:** 11 April 2024  
**Before:** Employment Judge Heather

## REPRESENTATION:

**Claimant:** In person  
**Respondent:** No attendance

# JUDGMENT

The judgment of the Tribunal is as follows:

## Redundancy Payment

1. Under section 163 Employment Rights Act 1996 it is determined that the claimant is entitled to a redundancy payment of **£9,966.50**.

## Unfair Dismissal

2. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed.
3. The respondent shall pay the claimant the following sums:
  - (a) A basic award of **£0**. (No separate award is made beyond the redundancy payment).
  - (b) A compensatory award of **£5,148.15**.

## Notice Pay

4. The complaint of breach of contract in relation to notice pay is well-founded.
5. No separate financial award is made beyond the compensatory award that has already been made.

### **Holiday Pay**

6. The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.
7. The respondent shall pay the claimant **£1,029.60**. The claimant is responsible for paying any tax or National Insurance.

### **Loss of statutory rights**

8. The complaint of loss of statutory rights is well-founded,
9. The respondent shall pay the claimant **£500** as compensation for loss of statutory rights.

### **Total amount that the respondent shall pay to the claimant**

10. The total amount that the respondent is required to pay to the claimant is £16,644.25.

**Employment Judge Heather**  
**10 May 2024**

### **Note**

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

### **Public access to employment tribunal decisions**

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