



# EMPLOYMENT TRIBUNALS

**Claimant:**

1. Mr R King
2. Ms Stuart-Yildirim

**Respondent:** Florida Direct Limited

## JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The respondent has failed to present a valid response on time. The Employment Judge has decided that a determination can properly be made on the claim in accordance with Rule 21 of the Rules of Procedure.

### R King

2. The respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the gross sum of **£10,506.11** which sum has been calculated as follows:
  - a. unpaid basic wage August to October 2023 (£1,500 gross per month x 3 months = £4,500.00).
  - b. unpaid commission August to October (£3,458.75 (Aug) + £2,010.30 (Sep) + £1,926.21 (Oct) = £7,395.26).
  - c. less payment of £1,389.15 received on 10/10/2023
3. 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 sum of **£1,500.00**. This has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as "Post Employment Notice Pay".
4. The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of **£1,929.00** (1.5 weeks' pay for each full year worked (2 years) @ £643.00 per week = 1.5 x 2 x 643).

5. The Tribunal makes no award for holiday pay because the claimant has not quantified his claim.
6. Consequently, the respondent must pay the claimant the sum of **£13,935.11** in total.

**S Stuart-Yildirim**

7. The respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the gross sum of **£2,029.32** which sum has been calculated as follows:
  - a. unpaid basic wage September to October 2023 (£1,500 gross per month x 2 months = £3,000.00).
  - b. unpaid commission October 2023 (£410.77).
  - c. less payment of £1,381.45 received in September 2023
8. The hearing listed on **1/11/2024** is cancelled.

Employment Judge Ainscough

Date: 1 October 2024

JUDGMENT SENT TO THE PARTIES ON

4 October 2024

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case numbers: **2400484/2024, 2400486/2024**

Name of cases: **Mr R King** v **Florida Direct Limited**  
**Ms S Stuart-Yildirim**

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: 4 October 2024

**the calculation day** in this case is: 5 October 2024

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

For the Employment Tribunal Office