



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr D Winiarski

**Respondent:** R Manser Plumbing & Heating Ltd

**HEARD AT:** BURY ST EDMUNDS **ON:** 27<sup>th</sup> March 2017

**BEFORE:** Employment Judge Palmer

**MEMBERS:** Miss Lucy Feavearyear  
Mr Des Hart

## REPRESENTATION

**For the Claimant:** Mr A Sierant (Consultant)

**For the Respondent:** Mr R Maratos (Consultant)

## **VARIED JUDGMENT PURSUANT TO A RECONSIDERATION UNDER RULE 70 OF THE EMPLOYMENT TRIBUNALS (CONSTITUTION AND RULES OF PROCEDURE) REGULATIONS 2013 SCH 1 RULE 70**

It is the unanimous judgment of this Tribunal that:-

1. The Claimant's claim for automatic unfair dismissal fails.
2. The Claimant's claim for unlawful deduction of wages succeeds on admission. We make a declaration to that effect and the Claimant is awarded the sum of £495.

3. The Claimant's claim for wrongful dismissal or a claim for notice pay succeeds and in this respect the Claimant is awarded one weeks net pay of £355.43.
4. The Claimant's claim under Section 38 of the Employment Act 2002 for a failure to give written particulars under Section 1 of the Employment Rights Act 1996 succeeds and the Claimant is awarded the sum of £920.
5. The Respondent pays the Claimant's Tribunal fees of £1,200.

The Respondent must therefore pay to the Claimant in total the sum of £2,970.43.

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Employment Judge Palmer, Bury St. Edmunds  
28 June 2017

JUDGMENT SENT TO THE PARTIES ON

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FOR THE SECRETARY TO THE TRIBUNALS

Note

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.