



EMPLOYMENT TRIBUNALS

Claimant: Mr Lee Chrisp

Respondent: The Maiden Over Limited

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The respondent made an unlawful deduction from the wages of the claimant. The respondent is ordered to pay to the claimant £2028.41p in respect of unpaid wages. This is a gross amount and the claimant is ordered to pay to the appropriate authorities any income tax and employee national insurance contributions due in respect of such sum.
2. The respondent made an unlawful deduction from the wages of the claimant in failing to pay the claimant's accrued holiday entitlement. The respondent is ordered to pay to the claimant £700.00p in respect of unpaid holiday pay. This is a gross amount and the claimant is ordered to pay to the appropriate authorities any income tax and employee national insurance contributions due in respect of such sum.
3. The respondent is ordered to pay to the claimant £266.96 (1 week at £266.96 per week net) damages for breach of contract (unpaid notice pay).
4. The respondent was in breach of its duty to the claimant under section 1(1) and/or section 4(1) of the Employment Rights Act 1996 when these proceedings were begun and there is an award to the claimant of two weeks' pay in the sum of £600. The respondent is ordered to pay to the claimant the said sum of £600 pursuant to section 38(3) Employment Act 2002.
5. The total sum payable by the respondent to the claimant is £3595.37 and is payable forthwith.
6. The hearing scheduled to take place on 28 July 2017 at the Kings Court North Shields is vacated.

REASONS

1. The claimant filed a claim with the Tribunal on 19 May 2017 which was served on the respondent on 1 June 2017.
2. The respondent has failed to file a response to the claim.
3. The claimant has provided written information to the Tribunal which satisfies me that the above mentioned sums are due to him in respect of the claims advanced to the Tribunal. The award for breach of contract (notice pay) is damages for breach of contract and it is right to award a sum which represents the net loss to the claimant.

Employment Judge A M Buchanan

Date: 30 June 2017

JUDGMENT SENT TO THE PARTIES ON

30 June 2017

AND ENTERED IN THE REGISTER

M M Richardson

FOR THE TRIBUNAL OFFICE