



THE EMPLOYMENT TRIBUNALS

Claimants
Mr E Shehata

Respondent
TVG Hospitality and Leisure Ltd

EMPLOYMENT JUDGE GARNON
MADE AT NORTH SHIELDS

ON 4th August 2017

JUDGMENT (Liability and Remedy)
Employment Tribunals Rules of Procedure 2013 –Rules 21and 37

- 1 The claim of wrongful dismissal (breach of contract) is well founded. I award damages of **£ 465.20** to be paid by the respondent to the claimant .
2. The claim of unlawful deduction of wages is well founded. I order the respondent to repay to the claimant **£ 378.72** gross of tax and national insurance (NI)
- 3 The claim for compensation for untaken annual leave is well founded. I order the respondent to pay compensation to the claimant of **£ 255.86** gross of tax and NI

All listed Hearings are cancelled

REASONS

1. The claims were presented on 5th and served on 6th July 2017 . A response was due by 3rd August 2017 but none were received I am required by Rule 21 of the Employment Tribunals Rules of Procedure 2013 to decide on the available material whether a determination can be made and , if so, obliged to issue a judgment which may determine liability and remedy. I have in the claim form and a schedule of loss sufficient information to enable me to find the claims proved on a balance of probability and to determine the accuracy of the sums claimed.
2. The law relating to unlawful deduction of wages is in Part 2 of the Employment Rights Act 1996 (the Act).
3. The common law provides a contract of employment may be brought to an end by reasonable notice. Dismissal without such notice is termed "wrongful". Damages for wrongful dismissal are the pay due during the notice period (see Addis v The Gramophone Company)

4. The Working Time Regulations 1998 say in Regulation 14 that where a worker's employment is terminated during the course of his leave year, and on the date on which the termination takes effect the proportion he has taken of the leave to which he is entitled in the leave year under regulation 13(1) differs from the proportion of the leave year which has expired. his employer shall make him a payment in lieu of untaken leave calculated by a formula which the claimant's representative has correctly applied .

Employment Judge TM Garnon

Date signed 4th August 2017
SENT TO THE PARTIES ON

8 August 2017

P Trewick
FOR THE TRIBUNAL OFFICE