



Case Numbers: 2300443/2017  
2300455/2017  
2300500/2017

## EMPLOYMENT TRIBUNALS

BETWEEN

**Claimants**

Mr W Smulski  
Mr R Wenus  
Mr I Wojciak

and

**Respondent**

Knights of Dover Ltd

**Held at Ashford on 18 September 2017**

**Representation**

**Claimants:**

Mrs M Inkin, solicitor  
Assisted by Mr M Katz,  
interpreter in the Polish  
language

**Respondent:**

Did not attend

**Employment Judge Wallis**

## JUDGMENT

1. The effect of the Tribunal's letter of 12 September 2017 in which the responses were dismissed following the Respondent's failure to comply with the Unless Order sent to the parties on 8 August 2017 was confirmed;
2. The claims are well-founded;
3. The Respondent is ordered to pay Mr Wenus £16,450 (gross) unpaid wages; £439 (net) notice pay; and £2,549.87 (net) holiday pay;
4. The Respondent is ordered to pay Mr Smulski £22,450 (gross) unpaid wages; £506.63 (net) notice pay; and £4,074.26 (net) holiday pay;
5. The Respondent is ordered to pay Mr Wojciak £16,450 (gross) unpaid wages; £291.28 (net) notice pay; and £1,445.77 (net) holiday pay;
6. The Claimants have paid fees in connection with this claim. In R (on the application of UNISON) v Lord Chancellor [2017] UKSC 51 the Supreme Court decided that it was unlawful for Her Majesty's Courts and Tribunals Service (HMCTS) to charge fees of this nature. HMCTS has undertaken to repay such fees. In the circumstances I shall draw to the attention of HMCTS that this is a case in which fees have been paid and are therefore to be

**Case Numbers: 2300443/2017  
2300455/2017  
2300500/2017**

refunded to the Claimants. The details of the repayment are a matter for HMCTS.

-----  
Employment Judge Wallis  
18 September 2017