



EMPLOYMENT TRIBUNALS

Claimant: Mr S Rogers

Respondent: PTM Group Limited

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

THE RESPONDENT having failed to present a response and on the basis of the information before the Employment Judge:

- 1 The claimant's complaint of breach of contract is well-founded and the respondent shall pay to the claimant damages of £5,206.15 (notice pay).
- 2 The claimant's complaint of unauthorised deductions from wages is well-founded and the respondent shall pay to the claimant the sum of £3,760.00. This is a net amount and the respondent shall be responsible for any income tax and employee's national insurance relating to it.
- 3 The claimant's complaint of failure to pay to the claimant an amount due to the claimant under regulation 14(2) or regulation 16(1) of the Working Time Regulations 1998 is well-founded and the respondent shall pay to the claimant the sum of £3,991.34 (holiday pay). This is a net amount and the respondent shall be responsible for any income tax and employee's national insurance relating to it.
- 4 The claimant's complaint of unfair dismissal is dismissed, as he does not have sufficient qualifying service to present such a complaint.
- 5 Any hearing fixed for this case is now cancelled.
- 6 If the claimant wishes to claim compensation for any loss sustained by the claimant as a result of the failure by the respondent to pay the wages or redundancy payment to which the claimant is entitled, then the claimant must send notice in writing of that claim, with full particulars of the claim, to the Employment Tribunal within 28 days after the date on which this judgment is sent to the parties.

REASONS

The claims for notice pay, arrears of wages and unpaid holiday pay are net sums, based upon net pay of £867.69 per week, or a daily rate of £173.54.

Employment Judge Johnson

Date: 21 November 2017

JUDGMENT SENT TO THE PARTIES ON

**21 November 2017
AND ENTERED IN THE REGISTER**

**P Trewick
FOR THE TRIBUNAL OFFICE**