



# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**

AND

**Respondent**

Mr M Smith

MFA Bowl Ltd

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**HELD AT** Newcastle-under-Lyme **ON** 4 September 2018

**EMPLOYMENT JUDGE** Dimbylow

### Representation

**For the claimant:** Not present or represented

**For the respondent:** Not present or represented

Upon the respondent's request to have the case determined on the papers in its absence, and

Upon the claimant having failed to defend the counterclaim of the respondent; and having been directed by the tribunal on 30 April 2018 that he could only participate in those proceedings as directed by the Judge, and

Upon the claimant failing to appear or otherwise communicate with the tribunal:

## JUDGMENT

1. The claimant's claim for damages for breach of contract over the respondent's failure to give notice or payment in lieu thereof is not well-founded, fails, and is dismissed.

2. The claimant's claim for damages for breach of contract over holiday pay is well-founded and succeeds. I order the respondent to pay the claimant damages in the sum of £60.61.

3. The claimant's claim for unlawful deduction from wages is not well-founded

fails and is dismissed.

4. The respondent's counterclaim is well-founded and succeeds. I order the claimant to pay the respondent the sum of £1,000.00, less the amount of £60.61 which is due to him, making the balance due and payable by the claimant to the respondent the sum of £939.39.

Employment Judge Dimbylow  
5 September 2018

Note: Reasons for the judgement having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.