



EMPLOYMENT TRIBUNALS

Claimant: Mr A Chacha

Respondents: Connect Civil Engineering Ltd

Heard at: Southampton **On:** 17 September 2018

Before: Employment Judge Jones QC

Representation:

Claimant: In person

Respondent: Did not attend

JUDGMENT

The Claimant is awarded compensation in the sum of £17,812.00, comprising:

1. A basic award in the sum of £1,350;
2. A compensatory award in the sum of £6,770 uplifted to £8,462.00 pursuant to Labour and Relations (Consolidation) Act 1992, s. 207A.
3. An award for unlawful deduction from wages in the sum of £8,000.

REASONS

1. The Claimant was employed from October 2014 to 23 March 2018. He had three complete years of service at the date of termination. He was 28 years old. He was earning £450 gross per week. His average take home pay was £370 per week.
2. On 21 March 2017 the Claimant was involved in a road accident for which, it seems, he was responsible. The van that he was driving belonged to the Respondent. The van was damaged. The respondent unlawfully deducted £8,000 from the Claimant's net pay.
3. The Claimant has not claimed benefits since he was dismissed. Therefore, no issue of recoupment arises. He has had a series of jobs held for short periods. His claim is limited to the period from dismissal to 14 September 2018.

Employment Judge Jones QC

17 September 2018

Sent to the parties on:

12 October 2018

For the Tribunal



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **1402433/2018**

Name of case(s): **Mr A Chacha** v **Connect Civil Engineering Ltd**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: **12 October 2018**

"the calculation day" is: **13 October 2018**

"the stipulated rate of interest" is: **8%**

MISS Z KENT
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/collections/employment-tribunal-forms

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.