

RM



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr R Siggesson

**Respondents:** (1) The Secretary of State for Business and Industrial Strategy  
The Insolvency Service  
(2) Sans Pere Café Limited

**Heard at:** East London Hearing Centre

**On:** 25 September 2018

**Before:** Employment Judge Lewis

## Representation

**Claimant:** In person

**Respondent:** No attendance

# JUDGMENT

The judgment of the Tribunal is as follows:

1. The Claimant's claim against the Secretary of State is dismissed for lack of jurisdiction, the claim having been brought prematurely.
2. The Claimant's claims against San Pere Café Limited succeed as set out below:

2.1 The Claimant's claim for unlawful deductions/ failure to pay wages contrary to section 13 of the Employment Rights Act 1996 succeeds in the following amounts:

(i) the sum of £1,094.85 net in respect of 135 hours at £8.11 net per hour;

(ii) the Claimant's share of the 12 ½ percent service charge for periods in which the Claimant worked, (form part of the Claimant's wages under Section 27 of the Employment Rights Act), the amount to be determined.

**2.2 Failure to pay holiday pay in accordance with Regulation 14 of the Working Time Regulations 1998 in the net sum of £284.01.**

**2.3 Failure to pay notice pay in the sum of £284.01 net**

Employment Judge Lewis

11 October 2018