



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: S/4104693/2018

Employment Judge: Ian McPherson

Mr Daniel Oraca

Claimant

Tech Yard 5 Ltd

Respondent

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

No response has been presented to this claim and an Employment Judge has decided to issue the following judgment on the available material under Rule 21:

- 1 The respondent has made an unauthorised deduction from the claimant's wages for February and March 2018 and is ordered to pay the claimant the sum of Six Thousand, Three Hundred and Thirty Three Pounds and Thirty Two Pence (£6,333.32).
- 2 The claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages to the claimant in the sum of Three Thousand, Once Hundred and Sixty Six Pounds and Sixty Six Pence (£3,166.66).
- 3 The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the sum of Three Thousand, Once Hundred and Sixty Six Pounds and Sixty Six Pence (£3,166.66).

REASONS

1. A copy of the claim form setting out the claimant's complaints was sent to the respondent on 24 May 2018.
2. In accordance with the terms of Rule 16 of the Rules to be found in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, the respondent was required to enter a response within twenty eight days of the date on which a copy of the claim was sent to it but failed to do so, by 21 June 2018, or at all.
3. The Employment Judge decided that on the available material a determination could properly be made without a hearing as to the liability of the respondent for the claim.
4. On the basis of the available material, including the claimant's reply dated 28 June 2018 to an order made by an Employment Judge, on 26 June 2018, to supply full details of all sums claimed by the claimant, the Employment Judge decided he could properly determine remedy as per the various amounts he has ordered the respondent to pay to the claimant as set out above in his Judgment.
5. The Final Hearing listed for 1 August 2018 is cancelled.

Employment Judge: G I McPherson
Date of Judgement: 03 July 2018
Entered in register: 04 July 2018
And copied to parties

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