



EMPLOYMENT TRIBUNALS

Claimant Mr J Hill

Respondent: Sheffield Motorcycles Centre Limited

HELD AT: Sheffield

ON: 14 November 2018

BEFORE: Employment Judge Brain

REPRESENTATION:

Claimant: In person

Respondent: Mr F Hayes, director

JUDGMENT

UPON it appearing to the Employment Tribunal that the respondent had the right pursuant to a provision in the claimant's contract of employment (signed by the claimant before the event giving rise to the issue) to make a deduction from the claimant's wages and UPON it appearing to the Employment Tribunal that the claimant's claim was bound to fail upon the evidence and that he acted unreasonably in pursuing it:

1. The claimant's claim is dismissed.
2. Subject to paragraph 3 below, the claimant shall pay to the respondent the sum of £330 for the time reasonably incurred in preparing for the hearing assessed upon the basis of 10 hours of preparation time at £33.00 per hour (being the rate prescribed by Rule 79(2) of schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013).
3. The part of the Judgment at paragraph 2 shall not be enforceable without further Order as pursuant to Rule 77 of schedule 1 to the 2013 Regulations the claimant is to be afforded a reasonable opportunity to make representations in response to the respondent's preparation time application. Accordingly, the claimant shall show cause why a preparation time order should not be made against him. Upon receipt of the claimant's representations the Employment Judge shall consider the matter in writing without the need for a further hearing and may if thought fit invite a response

to the claimant's representations from the respondent. The claimant shall send his show cause letter to the Employment Tribunal (with a copy to be sent also to the respondent at the same time) within 14 days of the date upon which this Judgment is sent to the parties (and which date is set out below).

Employment Judge Brain

Date: 23rd November 2018

JUDGMENT SENT TO THE PARTIES ON

FOR THE TRIBUNAL OFFICE

Note - Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.