



EMPLOYMENT TRIBUNALS

Claimant: Mr A Scott
Respondent: Sizzl Limited

AT A HEARING

Heard at: Hull **On:** 8th January 2019
Before: Employment Judge Lancaster

Representation

Claimant: In person
Respondent: No appearance entered and did not attend

JUDGMENT

1. The title of the Respondent is amended to Sizzl Limited only. James Cowan in his personal capacity is not party to the contract of employment and is dismissed from these proceedings.
2. The Respondent has made unauthorised deductions from the Claimant's wages by not paying the national minimum wage for work done in April and May 2018 nor any wages at all for work done in June and July 2018.
3. The Respondent is ordered to pay to the Claimant compensation in the total amount of those unauthorised deductions, £2737.02 gross.
4. The Respondent has failed to pay for 2.35 days outstanding at termination on his pro rata holiday entitlement for 135 days in the year, namely 2.07 weeks or 10.35 days.
5. The Respondent is ordered to pay to the Claimant compensation calculated pursuant to regulation 14 of the Working Time Regulations 1998 of £110.40 gross.
6. The Claimant was constructively dismissed without notice.
7. The Respondent is ordered to pay to the Claimant damages for breach of contract equivalent to 1 month's notice, £1017.90.
8. It is declared, pursuant to section 12 (3) of the Employment Rights Act 1996 that the Respondent has failed to give the Claimant any itemised pay statement to which he was entitled under section 8.
9. The claim in respect of a failure to provide written reasons for termination is dismissed because the tribunal has no jurisdiction to hear it where the employer does not dismiss or the Claimant does not have 2 years' qualifying service.

Case: 1810562/2018

Note

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

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