



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr K Farmer

**Respondent:** Mr Mark Birtwistle

**Employment Judge Tom Ryan**

## JUDGMENT

The respondent having failed to enter a response to the claim the judgment of the Tribunal is that:

1. The claimant's complaint is amended to incorporate a claim of breach of contract.
2. The claimant's complaints of unauthorised deduction from wages and breach of contract are well-founded.
3. The respondent is ordered to pay the claimant arrears of wages in the sum of £1023.98. That sum represents 138.75 hours at the national minimum wage.
4. In addition the respondent is ordered to pay the claimant the sum of £15.15 in respect of interest which he would have earned had the wages been paid.
5. Further the respondent shall pay the claimant the sum of £110 for breach of contract namely the failure to pay one half of the value of equipment which the claimant purchased and which the respondent has retained.
6. For the avoidance of doubt the total sum awarded under this judgement is £1,149.13

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Employment Judge

Date 9 January 2019  
as amended by Certificate of Correction

JUDGMENT SENT TO THE PARTIES ON

14 January 2019

FOR THE TRIBUNAL OFFICE

# EMPLOYMENT TRIBUNALS

**Claimant:** Mr K Farmer

**Respondent:** Mr Mark Birtwistle

## CERTIFICATE OF CORRECTION

issued under rule 69 of the Employment Tribunal Rules of Procedure 2013

In paragraph 6 of the Judgment sent to the parties on 1 November 2018 substitute:

“£1,149.13”

for

“£1,149.23”

as shown in the corrected judgment annexed hereto.

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Employment Judge Tom Ryan

Date 9 January 2019

SENT TO THE PARTIES ON

14 January 2019

FOR THE TRIBUNAL OFFICE

## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2414909/2018**

Name of **Mr K Farmer** v **Mr Mark Birtwistle**  
case(s):

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: **14 January 2019**

"the calculation day" is: **15 January 2019**

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

MRS L WHITE  
For the Employment Tribunal Office

