

Case Number: 2413442/2018

2413443/2018

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EMPLOYMENT TRIBUNALS

Claimant Mr A Doyle

Respondents

1. Izakaya Ltd (in voluntary liquidation)
2. Izakaya Dock Limited
3. Izakaya Marine Limited
4. Caprese Liverpool Limited

Heard at: Liverpool **on:** 25 January 2019

Before: Employment Judge Shotter

Appearances

For the Claimant: In person
For the Respondents: Not in attendance

JUDGMENT

The judgment of the Tribunal is the:

1. The employer and correct respondent is Izakaya Dock Limited and all claims against the first, third and fourth respondent are dismissed.
2. The claimant did not suffer an unlawful deduction of wages and his claim is not well-founded and dismissed.
3. The claimant was not paid accrued holiday pay, his claim for unpaid holiday pay brought under the Working Time Regulations is well founded and the second

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respondent is ordered to pay to the claimant the sum of £544.00 net (68 hours @ £8.00 per hour net) by way of unpaid accrued holiday entitlement.

4. The claimant suffered a breach of contract in respect of hours to be worked, and the second respondent is ordered to pay to the claimant damages for breach of contract in the sum of £288.00 net.
5. The claimant was not paid notice, his claim for wrongful dismissal is well-founded and the second respondent is ordered to pay damages for breach of contract in the sum of £480 net (60 hours @ £8.00 net).
6. The claimant was not reimbursed the cost of his uniform and the second respondent is ordered to pay to the claimant the sum of £164.32 for a replacement of the lost uniform.
7. The second respondent did not issue the claimant with a statement of terms and conditions of employment in accordance with Section 1 of the Employment Rights Act 2016 as amended, and the second respondent is ordered to pay to the claimant compensation in the sum of £1920 (4 x £480).

Employment Judge Shotter

Date 21 January 2019

Sent to the parties on:

29 January 2019

For the Tribunal:

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NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2413442/2018**

Name of case(s): **Mr A Doyle** v **Izakaya Dock Limited**

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: **29 January 2019**

"the calculation day" is: **30 January 2019**

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

MRS L WHITE

For the Employment Tribunal Office

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