



EMPLOYMENT TRIBUNALS

Claimant: Mr C Robinson

Respondent: Mettler Toledo Safeline Limited

JUDGMENT

1. The claims brought by Mr C Robinson in case numbers **2413492/2018** and **2414547/2018** are struck out.
2. The employer's contract claim brought by Mettler Toledo Safeline Limited in case number **2416232/2018** succeeds. Mr Robinson is ordered to pay the sum of **£4,987.29** to Mettler Toledo Safeline Limited.

REASONS

2413492/2018 and 2414547/2018

1. By a letter dated 17 January 2019 the Tribunal gave the claimant an opportunity to make representations or to request a hearing, as to why his claims should not be struck out because he had not complied with the order for exchange of witness statements, and his claims had not been actively pursued.
2. The claimant has failed to make representations in writing, or has failed to make any sufficient representations, why this should not be done or to request a hearing. Those claims are therefore struck out.

2416232/2018

3. The employer's contract claim alleging that the claimant was in breach of contract by retaining overpaid wages was permitted by amendment at a hearing on 12 September 2018 before Regional Employment Judge Parkin. The written case management order was sent to the parties on 24 September 2018.
4. By letter of 12 November 2018 Employment Judge Ross reminded the claimant that a response to that claim against him was awaited.
5. No response has been received. Under rule 25 the position is as for an undefended claim under rule 21. This judgment in favour of the respondent is

**Case Nos: 2413492/2018
2416232/2018
2414547/2018**

made under rule 21.

6. The hearing fixed for 7 February 2019 will not take place.

Employment Judge Franey

4 February 2019

JUDGMENT SENT TO THE PARTIES ON

4 February 2019

FOR THE TRIBUNAL OFFICE



Case Nos: 2413492/2018
2416232/2018
2414547/2018

NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2416232/2018**

Name of case(s): **Mettler Toledo v Mr Craig Robinson**
Safeline 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: **4 February 2019**

"the calculation day" is: **5 February 2019**

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

MR I STOCKTON
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.