



# EMPLOYMENT TRIBUNALS

Claimant: Mr D Winter  
Respondent: R & L Electrical Engineering Ltd

## JUDGMENT

Issued pursuant to Rule 21 Employment Tribunals Rules of Procedure 2013

1. The Respondent has not presented a response to the claim.
2. The Claimant's claims for automatically unfair dismissal contrary to s 101A(1)(a) Employment Rights Act 1996 and for unauthorised deduction from wages succeed.
3. The Claimant is not entitled to a basic award. This claim does not fall within s 120 Employment Rights Act 1996 (cases where a minimum basic award is payable) and the Claimant had less than one year's service.
4. The Respondent shall pay the Claimant a compensatory award of £100 in respect of loss of statutory employment rights. He had only worked for the Respondent for 8 months so an award of £350 is not appropriate. The Claimant does not claim any other compensation for lost income.
5. The Respondent shall pay the Claimant £867 net in respect of unauthorised deduction from wages payable in November 2018.
6. At the time the proceedings were begun the Respondent was in breach of its duty to provide the Claimant with a written statement of employment particulars as required by s 1 Employment Rights Act 1996. No exceptional circumstances have been identified that make it unjust to award two weeks' pay. No circumstances have been identified that make it just and equitable to award four weeks' pay. The Respondent shall therefore pay the Claimant a further £524.30 being two weeks' gross pay (£1136 x 12/52).
7. The hearing on 1 May 2019 is cancelled.

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Employment Judge Davies  
8 February 2019

Sent to the parties on:

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For the Tribunal:

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