



EMPLOYMENT TRIBUNALS

Claimant: Mr M Oughton

First Respondent: Anthony Thomas Greatholder t/a RFG Greatholder & Son

Second Respondent: RFG Greatholder & Son

Third Respondent: RFG Logistics Management

Considered at: North Shields **On:** 25 January 2019

Before: Employment Judge S A Shore

JUDGMENT

The judgment of the Tribunal is that:

1. Of my own motion, following correspondence with Raymond Greatholder and the claimant, I have reconsidered my Judgment of 31 August 2019 and substituted Anthony Thomas Greatholder t/a RFG Greatholder & Son for Raymond Greatholder t/s RFG Greatholder & Son as First Respondent in this matter. The rest of the previous judgment stands as follows.
2. The claimant's claim of unauthorised deduction of wages succeeds against the first respondent.
3. The first respondent, Anthony Thomas Greatholder trading as RFG Greatholder & Son, shall pay the claimant the sum of £300.00 for unauthorised deduction of claims for damages by customers and £1,040.00 for unauthorised deduction of £10.00 per week for 104 weeks for 'insurance premiums'.
4. The total payable by the first respondent to the claimant is £1340.00.
5. The claimant's claims against the second and third respondents fail.

Employment Judge S A Shore

Date 25 January 2019

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2501255/2018**

Name of **Mr M Oughton** v **Anthony Thomas**
case(s): **Greatholder t/a RFG**
Greatholder & Son

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: **30 January 2019**

"the calculation day" is: **31 January 2019**

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

MISS K FEATHERSTONE
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.