

**EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: S/4104763/17**

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**Held in Glasgow on 5 March 2018**

**Employment Judge: Lucy Wiseman**

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**Mr John Blair**

**Claimant  
In Person**

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**Aventas Group**

**Respondent  
No Appearance**

**JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

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The Tribunal decided to:-

- (i) dismiss the complaint of unfair dismissal because the claimant does not have sufficient qualifying service to bring this claim;
- (ii) to find the complaint of an unauthorised deduction from wages well founded and to order the respondent to pay to the claimant the (net) sum of £819 and
- (iii) to find the complaint of breach of contract in respect of the payment of notice well founded and to order the respondent to pay to the claimant the (net) sum of £469.

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**REASONS**

1. The claimant presented a claim to the Employment Tribunal on 27 September 2017 alleging he had been unfairly dismissed and had not been paid in respect of notice, wages and holiday pay.
2. The respondent did not enter a response.

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**E.T. Z4 (WR)**

3. I heard evidence from the claimant, and I made the following material findings of fact.
- 5 4. The claimant was employed by Aventas Group. He commenced employment as a Recruitment Consultant on 7 May 2017, and he earned a salary of £30,000.
- 10 5. The claimant was informed by Mr Stephen Rafferty, Director, that his employment was ending on 23 August 2017.
6. The claimant was paid wages up to 23 August.
- 15 7. The claimant was entitled to receive one weeks' notice of termination of employment. Mr Rafferty and/or Mr McGenily assured the claimant he would be paid one weeks' notice, but the claimant did not receive this payment. He also did not receive one weeks' lying time.
- 20 8. The claimant had undertaken work painting lockers in the new call centre and was owed the sum of £350 in respect of this work.

**Decision**

- 25 9. I explained to the claimant that he did not have sufficient service to bring a complaint of unfair dismissal. The claimant accepted this.
- 30 10. I decided the claim in respect of an unauthorised deduction of wages (lying time and painting work) to be well founded, and I order the respondent to pay to the claimant the sum of £819 (being £469 net for one weeks' lying time and £350 for the painting).

11. I further decided the claimant was entitled to be paid one weeks' notice of termination of employment. I order the respondent to pay to the claimant the sum of £469 in respect of notice.

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**Employment Judge: Lucy Wiseman**  
**Date of Judgment: 05 March 2018**  
**Entered in register: 07 March 2018**  
**and copied to parties**

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