

EMPLOYMENT TRIBUNALS

Claimants Mr T Kurdykowski

Mr P Nachev

Mrs M Kurdykowska

Respondent Safe Transport (South West) Ltd

Heard at: Bristol On: 14 February 2019

Employment Judge: M Street

Representation

Claimant: Mr P Nachev

Respondent: Response struck out

JUDGMENT

In respect of Mr T Kurdykowski, the Respondent:

- (a) made unlawful deductions from the claimant's wages, and is ORDERED to pay the sum of £886.10 to the claimant;
- (b) is ORDERED to pay damages for breach of contract to the claimant in the sum of £428.17;
- (c) is ORDERED to pay £2136 to the claimant in respect of the failure to provide a statement of employment particulars, it being just and equitable to order the higher amount.

The total sum the Respondent is ordered to pay Mr Kurdykowski is £3450.27.

In respect of **Mrs M Kurdykowska**, the Respondent:

- (a) made unlawful deductions from the claimant's wages, and is ORDERED to pay the sum of £1308 to the claimant;
- (b) failed to pay outstanding holiday pay, and is ORDERED to pay the sum of £236.25 to the claimant.
- (c) is ORDERED to pay damages to the claimant for breach of contract in the sum of £371.05

The total sum the Respondent is ordered to pay to Mrs M Kurdykowska is £1915.30.

Her claim in respect of the failure to provide written particulars of employment is dismissed because she did not have the required period of service.

In respect of **Mr P Nachev**, the Respondent:

- (a) made unlawful deductions from the claimant's wages, and is ORDERED to pay the sum of £1500 to the claimant;
- (b) failed to pay outstanding holiday pay, and is ORDERED to pay the sum of £465 to the claimant.
- (c) is ORDERED to pay damages for breach of contract to the claimant in the sum of £843.61.
- (d) failed to give the employee any pay statement and the Tribunal finds that unnotified deductions have been made from his pay. The Tribunal ORDERS the Respondent to pay the employee the sum of £1200.
- (e) failed to permit the claimant to exercise his right to a rest break under regulation 12(1) and the Respondent is ORDERED to pay the claimant £180 by way of compensation.

The total sum the Respondent is ordered to pay the claimant is £4188.61.

His claim in respect of the failure to provide written particulars of employment is dismissed because he did not have the required period of service.

Employment Judge Street
Dated 14 February 2019

Case Number 1403146/2018 1403147/2018 1403148/2018