



EMPLOYMENT TRIBUNALS

Claimant: Mr R Pinnington

Respondents: Mr Chris Hughes (First Respondent)
Driver Hire Solutions Limited (Second Respondent)

Heard at: Mold **On:** 16 February 2018

Before: Employment Judge S Davies (sitting alone)

Representation

Claimant: in person

Respondent: did not attend

JUDGMENT

1. The Respondents did not attend the hearing, listed by Regional Employment Judge Clarke on 10 December 2017, to determine whether they should be permitted to rely on their late ET3 response form and defend the proceedings.
2. Under Rule 47 of the Employment Tribunal Rules of Procedure 2013 the hearing proceeded in the Respondents' absence, on the basis that Rule 21 applied.
3. It is the decision of the Employment Judge sitting alone that:
4. the Respondents made unauthorised deductions from the Claimant's wages;
5. the Respondents are ordered to pay the Claimant
 - a. £382.50 for unpaid wages; and
 - b. £80 for accrued holiday pay;

6. the First Respondent harassed the Claimant in a text message with the comment '*you are an Englishman working in Wales now*' (an act of harassment related to race (nationality)); and
7. the Claimant's claim for compensation for injury to feelings in respect of harassment is upheld in the sum of £660.

Employment Judge S Davies

Date 16 February 2018

NOTE: Reasons were given orally at the hearing. In accordance with Rule 62 (3) of the Employment Tribunal Rules of Procedure 2013, no written reasons will be provided unless requested by a party at the hearing or in writing within 14 days of sending the written record of the decision.