

EMPLOYMENT TRIBUNALS



Claimants

Mr. J. Wheeler

Respondent

v

(1) Beach Club Ltd (in creditors voluntary liquidation)
(2) Beach Blanket Babylon
(3) Mr. Brett Newmark
(4) Mr. Robert Newmark
(5) Mr. Timothy Danby

Heard at: London Central
Before: Employment Judge Mason

On: 20 March 2019

Representation

Claimant: No attendance (due to illness).
Respondents: No attendance or representation.

JUDGMENT

The Respondents having failed to submit a response or attend the hearing, the judgment of the Tribunal is that:

1. Beach Club Ltd (in creditors voluntary liquidation) is added as a Respondent.
2. The claim of unfair dismissal is dismissed as the Claimant has insufficient continuous service.
3. The Tribunal declares that the Respondents made unlawful deductions from the Claimant's wages contrary to section 13 of the Employment Rights Act 1996 by failing to pay him arrears of salary and monies in lieu of untaken accrued holiday.
4. The Respondents are ordered (on a joint and several basis) to pay the Claimant the total sum of **£14,668** gross.
5. The Tribunal declares that the Respondents' failure to pay the Claimant monies in lieu of accrued holiday was also a breach of Regulation 14 of the Working Time Regulations 1998. No further award is made as the sum awarded under paragraph 4 above includes this sum.

Note:

Written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

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.

Signed by _____ on 20 March 2019

Employment Judge Mason

Judgment sent to Parties on

22 March 2019