



# THE EMPLOYMENT TRIBUNALS

BETWEEN

*Claimants*

(1) Mr J Wallace  
(2) Miss A Moffett  
(3) Mr B Curran  
(4) Miss P Crowson  
(5) Miss P McGregor  
(6) Mr T Close

*Respondent*

Glass House Leisure Limited

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Held at: North Shields

On: 11 April 2018

Before: Employment Judge A M Buchanan

### *Appearances*

For the Claimants: All in person except Mr Thomas Close who was represented by Mrs Dawn Close.

For the Respondent: No response entered and no attendance

## JUDGMENT ON LIABILITY AND REMEDY

### Pursuant to Rule 21 Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013

It is the judgment of the Tribunal that:-

#### Claim number 2500222/2018 – Mr Jamie Wallace (“the first claimant”)

1. The claim for breach of contract (wrongful dismissal) is well-founded. The respondent is ordered to pay to the first claimant **£520.61** damages for breach of contract – unpaid notice pay.

2. The claim for a declaration in respect of an unauthorised deduction from wages is well-founded. The respondent is ordered to pay to the first claimant the sum of

**£1000.00** in respect of an underpayment on wages due to be paid on 30 November 2017 and **£1346.14** in respect of wages from 1 December 2017 until 14 December 2017. The said sum of £1000 is a net amount and the respondent must account to the appropriate authorities for any income tax and employee national insurance contributions deducted from that amount. The said sum of £1346.14 is a gross amount and the first claimant is to account to the appropriate authorities for any income tax and employee national insurance contributions due in respect of such sum on receipt by him.

3. The claim for a declaration in relation to unpaid holiday pay advanced pursuant to Regulations 14 and 16 of the Working Time Regulations 1998 is well-founded. The respondent is ordered to pay to the first claimant **£134.61** in respect of unpaid holiday pay. The said sum of £134.61 is a gross amount and the first claimant is to account to the appropriate authorities for any income tax and employee national insurance contributions due in respect of such sum on receipt by him.

4. There is an award of two weeks' pay pursuant to section 38(3) of the Employment Act 2002 in the sum of **£978.00p**.

5. The total sum due from the respondent to the first claimant of **£3979.36** is payable by the respondent forthwith.

**Claim number 2500226/2018 – Miss Alison Moffett (“the second claimant”)**

6. The claim for a declaration in respect of an unauthorised deduction from wages is well-founded. The respondent is ordered to pay to the second claimant the sum of **£2083.33** in respect of wages for January 2018. The said sum of £2083.33 is a gross amount and the second claimant is to account to the appropriate authorities for any income tax and employee national insurance contributions due in respect of such sum on receipt by her.

7. There is an award of two weeks' pay pursuant to section 38(3) of the Employment Act 2002 in the sum of **£961.52p**.

8. The total sum due from the respondent to the second claimant of **£3044.85** is payable by the respondent forthwith.

**Claim number 2500227/2018 – Mr Brett Curran (“the third claimant”)**

9. The claim for breach of contract (wrongful dismissal) is well-founded. The respondent is ordered to pay to the third claimant **£458.53** damages for breach of contract – unpaid notice pay.

10. The claim for a declaration in respect of an unauthorised deduction from wages is dismissed on withdrawal.

11. The claim for a declaration in relation to unpaid holiday pay advanced pursuant to Regulations 14 and 16 of the Working Time Regulations 1998 is well-founded. The respondent is ordered to pay to the third claimant **£1862.69** in respect of unpaid holiday pay. The said sum of £1862.69 is a gross amount and the third claimant is to account to the appropriate authorities for any income tax and employee national insurance contributions due in respect of such sum on receipt by him.

12. There is an award of two weeks' pay pursuant to section 38(3) of the Employment Act 2002 in the sum of **£978.00p**.

13. The total sum due from the respondent to the third claimant of **£3299.22** is payable by the respondent forthwith.

**Claim number 2500330/2018 – Miss Paris Crowson (“the fourth claimant”)**

14. The claim for a declaration in respect of an unauthorised deduction from wages is well-founded. The respondent is ordered to pay to the fourth claimant the sum of **£1508.50** in respect of wages for January and February 2018. The said sum of £1508.50 is a gross amount and the fourth claimant is to account to the appropriate authorities for any income tax and employee national insurance contributions due in respect of such sum on receipt by her.

15. The claim for a declaration in relation to unpaid holiday pay advanced pursuant to Regulations 14 and 16 of the Working Time Regulations 1998 is well-founded. The respondent is ordered to pay to the fourth claimant **£527.56** in respect of unpaid holiday pay. The said sum of £527.56 is a gross amount and the fourth claimant is to account to the appropriate authorities for any income tax and employee national insurance contributions due in respect of such sum on receipt by her.

16. There is an award of two weeks' pay pursuant to section 38(3) of the Employment Act 2002 in the sum of **£560.00p**.

17. The total sum due from the respondent to the fourth claimant of **£2596.06** is payable by the respondent forthwith.

**Claim number 2500367/2018 – Miss Philippa McGregor (“the fifth claimant”)**

18. The claim for a declaration in respect of an unauthorised deduction from wages is well-founded. The respondent is ordered to pay to the fifth claimant the sum of **£38.00** in respect of an underpayment on wages due to be paid on 31 December 2017 and **£1162.50** in respect of wages from 1 January 2018 until 17 January 2018. The said sum of £38 is a net amount and the respondent must account to the appropriate authorities for any income tax and employee national insurance contributions deducted from that amount. The said sum of £1162.50 is a gross amount and the fifth claimant is to account to the appropriate authorities for any income tax and employee national insurance contributions due in respect of such sum on receipt by her.

19. The total sum due from the respondent to the fifth claimant of **£1200.50** is payable by the respondent forthwith.

**Claim number 2500572/2018 – Mr Thomas Close (“the sixth claimant”)**

20. The claim for a declaration in respect of an unauthorised deduction from wages is well-founded. The respondent is ordered to pay to the sixth claimant the sum of **£1828.55** in respect of wages for December 2017 and January 2018 and an element of underpayment in respect of earlier periods. The said sum of £1828.55 is a gross amount and the sixth claimant is to account to the appropriate authorities for any income tax and employee national insurance contributions due in respect of such sum on receipt by him.

21. There is an award of two weeks’ pay pursuant to section 38(3) of the Employment Act 2002 in the sum of **£620.00p.**

22. The total sum due from the respondent to the second claimant of **£2448.55** is payable by the respondent forthwith.

**NOTE** The cases numbered 2500238/2018 brought by Mr R Robson and 2500371/2018 brought by Miss K Monaghan and 2500633/2018 brought by Mrs C Wilson were previously combined with the above cases. I have separated those three cases into a separate sub multiple and all three cases will be the subject of separate orders.

**EMPLOYMENT JUDGE A M BUCHANAN**

**JUDGMENT SIGNED BY EMPLOYMENT**

**11 April 2018**

**NOTE:**

1. Reasons for the judgment having been given orally at the hearing, written reasons will not be given unless a request was made by any party at the hearing or a written request is presented by any party within 14 days of this written record of the decision.

**2. Public access to Employment Tribunal decisions**

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