



EMPLOYMENT TRIBUNALS

Claimant: Mr C Dorsett

Respondent: Five Star Garage Doncaster Ltd

Heard at: Sheffield **On:** 16 May 2019

Before: Employment Judge Rostant

Appearances

For the claimant: Miss Kirby (mother)

For the respondent: no attendance

JUDGMENT

- (1) I find that at all relevant times the claimant was not engaged under a contract of apprenticeship but was a worker and was entitled to the relevant National Minimum Wage rates namely, between commencement and the end of September 2018, the sum of £4.20 per hour and thereafter the sum of £5.90 per hour
- (2) I find that the claimant suffered unauthorised deductions from his wages as follows
 - (i) For the month of August- £7.10
 - (ii) For the month of September- £107.50
 - (iii) For the month of October, when, in addition to failing to pay at the correct rate the respondent failed to pay the claimant for one week's holiday and for one day Statutory Sick Pay (£17.91)-£509.15
 - (iv) For the month of November, when the claimant received no pay at all- £1,237.03
 - (v) For the month of December, (two days) when the claimant received no pay at all- £73.75
 - (vi) Accrued holiday pay on termination of $0.4 \times £250.75$ - £103.30

Total £2,034.83
- (3) I further find that the respondent breached the claimant's contractual right to notice and that the claimant suffered damages in the sum of £250.75

**The respondent is ordered to pay to the claimant the sum of £2,285.58
subject to tax and national insurance**

Employment Judge Rostant

Dated: 16 May 2019