



THE EMPLOYMENT TRIBUNALS

Claimant: Mr G Warley

Respondent: Metro Lodgings Limited

Heard at: North Shields **On:** 29 August 2018

Before: Employment Judge Morris (sitting alone)

Representation:

Claimant: In person

Respondent: Neither present nor represented

JUDGMENT

The judgment of the Tribunal is as follows:

- 1 The claimant's complaint that the respondent made an unauthorised deduction from his wages contrary to section 13 of the Employment Rights Act 1996 ("the 1996 Act") in that it did not pay to him the money that he had earned during the period 21 April 2018 to 20 May 2018 is well-founded.
- 2 In accordance with section 24(1) of the 1996 Act, the respondent is ordered to pay to the claimant the amount of that deduction being £1,028.57.
- 3 The above amount of £1,028.57 has been calculated by reference to the claimant's gross pay and any liability to payment of income tax or employee national insurance contributions in respect of that amount shall be the liability of the claimant.
- 4 In accordance with section 24(2) of the 1996 Act, the respondent is ordered to pay to the claimant the sum of £307.76 being the amount the Tribunal considers is appropriate in all the circumstances to compensate the claimant for certain of the financial losses sustained by him which are attributable to the unauthorised deduction of wages.
- 5 The respondent was in breach of its duty to the claimant under section 1 of the 1996 Act to give to him a written statement of the particulars of his employment and, in accordance with section 38 of the Employment Act 2002, the respondent

is ordered to pay to the claimant “the higher amount” of four weeks’ pay, being £944.64.

- 6 The total sum that the respondent is ordered to pay to the claimant is therefore £2,280.97.

EMPLOYMENT JUDGE MORRIS

**JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON 20 SEPTEMBER 2018**

Note

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

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