



EMPLOYMENT TRIBUNALS

Claimant: Mr A MacGuire

Respondent: Mrs A Kaponas

FINAL HEARING

Heard at: Nottingham

On: 15 to 17 July 2019

Before: Employment Judge Camp (sitting alone)

Appearances

For the claimant: Mr T Powell, lay representative (claimant's partner)

For the respondent: in person, assisted by her son, Mr I Kaponas; no appearance on 17/7/19

JUDGMENT

- (1) The claimant was unfairly dismissed and the respondent must pay him compensation in the sum of £2858.00, consisting of a basic award only, to which no reduction is made pursuant to section 122(2) of the Employment Rights Act 1996.
- (2) The claimant was dismissed without notice or pay in lieu, in breach of contract, and the respondent must pay him damages of £2000.60
- (3) The respondent made unauthorised deductions from the claimant's wages by failing to pay him the national minimum wage and must pay him the amount of those deductions: £425.53 (gross)
- (4) The respondent must pay the claimant the sum of £381.04 in compensation for accrued but untaken annual leave on the termination of employment, pursuant to regulation 14 of the Working Time Regulations 1998.
- (5) When these proceedings were begun, the respondent was in breach of its duty under section 1(1) of the Employment Rights Act 1996 and the claimant is awarded an additional sum of £571.60, being two weeks' pay, in accordance with section 38 of the Employment Act 2002.
- (6) The total sum the respondent must pay the claimant is: **£6236.47**



- (7) Reasons were given orally at the hearing. Written reasons will not be provided unless they are asked for by a written request presented by any party within 14 days of the sending of the written record of the decision.
- (8) This Judgment was made and took effect on 17 July 2019.

EMPLOYMENT JUDGE CAMP

22 July 2019

SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE