



# EMPLOYMENT TRIBUNALS

**BETWEEN**

**Claimant**  
Mr C Burton

**Respondent**  
Halton Windows Systems Ltd

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**HELD AT Manchester on 9 September 2019**

**EMPLOYMENT JUDGE** Warren

### Representation

Claimant: in person

Respondent: no attendance (Rule 21 Employment Tribunals Rules 2013 applies)

## JUDGMENT

- 1. On application by the claimant the correct name of the respondent is amended to Halton Windows Systems Limited.**
- 2. On application by the claimant leave was given to include a claim for a redundancy payment**
- 2. The respondent has failed to provide itemised payslips explaining deductions from wages. The claimant is awarded seven hundred and eighty pounds being the sum of the unnotified deductions over the last 13 weeks before the claimant presented his claim.**

**3. The claimant was dismissed without notice in breach of contract and is entitled to 7 weeks net pay in compensation in the sum of two thousand three hundred and eighty pounds.**

**4. The respondent has unlawfully deducted two weeks of wages and is ordered to pay the claimant the sum of six hundred and eighty pounds net.**

**5. The claimant was dismissed for redundancy on 14 August 2019 and is entitled to a redundancy payment in the sum of two thousand eight hundred pounds.**

**6 The respondent is ordered to pay the claimant in total the sum of six thousand six hundred and forty pounds**

#### Schedule

#### Calculation

1. The claimant commenced work for the respondent on 17 April 2012 as a fabricator.
2. He was aged under 40 throughout his employment.
3. He was dismissed for redundancy on 15 August 2019 and had 7 years complete service.
4. He was paid £400.00 per week gross and £340.00 net after statutory deductions (although he has since learned that the respondent did not account for tax or national insurance at all in the 7 years despite deducting them each week from his wages).
5. He received about 20- 25 pay slips over 7 years, the last being in September 2018.
6. He was owed a week in hand and a week's salary at the date of dismissal which were not paid to him.
7. Redundancy: 7 weeks at 400.00 = £2800.00
8. Notice pay: 7 weeks at 340.00 = £2380

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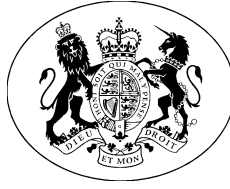
Employment Judge Warren

Signed on 2 October 2019

Oral reasons having been given at the Hearing, written reasons may be requested within 14 days

Judgment sent to Parties on

16 October 2019



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2406246/2019**

Name of case(s): **Mr C Burton** v **Halton Windows Systems Ltd**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: **16 October 2019**

"the calculation day" is: **17 October 2019**

"the stipulated rate of interest" is: **8%**

MR I STOCKTON  
For the Employment Tribunal Office

## INTEREST ON TRIBUNAL AWARDS

### **GUIDANCE NOTE**

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at [www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426](http://www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426)

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.