



EMPLOYMENT TRIBUNALS

Claimants: Mr P Hudson

First Respondent: Jeet Nest Fish and Chips Limited

Second Respondent: JJ Wine Bar Limited

Third Respondent: Blue Lounge previously Kings Bar

HELD AT: North Shields

ON: 23 July 2019

BEFORE: Employment Judge Aspden

REPRESENTATION:

Claimant: In person

Respondents: No attendance

JUDGMENT

The judgment of the Tribunal is:

1. The claimant's complaint that the first respondent made deductions from his wages in contravention of section 13 of the Employment Rights Act 1996 by failing to pay him the National Living Wage is well founded.
2. The claimant's complaint that the first respondent failed to pay to him holiday pay due under regulation 14 of the Working Time Regulations 1998 is well founded.

3. When these proceedings were begun the first respondent was in breach of its duty to the claimant under section 1(1) of the Employment Rights Act 1996.
4. The first respondent must pay to the claimant the following amounts:-
 - a. the sum of £4,539.76, being the amount deducted from the claimant's wages in contravention of section 13 of the Employment Rights Act 1996; and
 - b. the sum of £773.70, being the amount remaining due to the claimant under regulation 14 of the Working Time Regulations 1998 in respect of holiday; and
 - c. the additional sum of £1409.40, being an award under section 38 of the Employment Act 2002.
5. The claims against the second and third respondents are dismissed.

Employment Judge Aspden

Date 23 July 2019

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.