



EMPLOYMENT TRIBUNALS

Claimant: Mr D Brown
First Respondent: Optica Eye Clinic Longbenton Limited
Second Respondent: Optica Eye Clinic Limited

HELD AT: North Shields **ON:** 7 August 2019
BEFORE: Employment Judge Aspden

REPRESENTATION:

Claimant: Mrs R Brown
First and Second Respondent: Mrs W Aspinall

JUDGMENT

The judgment of the Tribunal is:

1. The following claims against the second respondent are well founded:
 - a. the claim that the second respondent breached his contract of employment by terminating it without notice;
 - b. the claim that the second respondent made deductions from the claimant's wages in contravention of section 13 of the Employment Rights Act 1996 by failing to pay wages totalling £495;
 - c. the claim that the second respondent failed to pay to the claimant holiday pay due under regulation 14 of the Working Time Regulations 1998; and
 - d. the claim to be entitled to a statutory redundancy payment.

2. The second respondent must pay to the claimant the following amounts:-
 - a. £5,500 as damages for breach of contract in respect of notice;

- b. £495, being the amount deducted from the claimant's wages in contravention of section 13 of the Employment Rights Act 1996;
 - c. £423.08, being the amount remaining due to the claimant under regulation 14 of the Working Time Regulations 1998 in respect of holiday; and
 - d. A statutory redundancy payment of £3,807.69.
3. The claims against the first respondent are dismissed.

Employment Judge Aspden

Date 8 August 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.