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# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Barrett  
**Respondent:** AFS BD Ltd  
**Heard at:** East London Hearing Centre  
**On:** 28<sup>th</sup> October 2019  
**Before:** Employment Judge Reid

## Representation

Claimant: In person

Respondent: Did not attend

The Tribunal proceeded in the absence of the Respondent under Rule 47 Employment Tribunal Rules 2013

# JUDGMENT

The judgment of the Tribunal is that:-

1. The Respondent made an unlawful deduction of £33.00 (gross) from the Claimant's wages for 25<sup>th</sup> May 2019 (4 hours at £8.21 per hour), contrary to s13 Employment Rights Act 1996. This sum is now payable by the Respondent to the Claimant.
2. The Respondent failed to pay the Claimant's accrued holiday pay on termination of his employment amounting to £404.60 (gross), contrary to Regulation 14 Working Time Regulations 1998. This sum is now payable by the Respondent to the Claimant.
3. The Tribunal makes an additional award of 2 weeks pay under s38 Employment Act 2002 for a failure to provide the Claimant with a written statement of the particulars of his employment. Based on average hours of 13 per week at £8.21 per hour, this amounts to £214. This sum is now payable by the Respondent to the Claimant.

4. The claim under s8 Employment Rights Act 1996 (failure to provide payslips) is dismissed because by the time of this hearing all payslips had been provided.

***Note to the Respondent: the Claimant's address on his payslips is incorrect – it is 60 Arden Crescent (not 68).***

Employment Judge Reid

Dated: 28 October 2019