



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr C Manuel  
**Respondent:** Fix-A-Chip (Tyneside) Limited

**Heard at:** North Shields                      **On:** 3 October 2019  
**Before:** Employment Judge Deeley

## Representation

**Claimant:** Mr Manuel (in person)  
**Respondent:** Mr A Fisher (Respondent's employee)

## JUDGMENT

1. The Claimant does not have a sufficient period of continuous employment to bring a claim for ordinary unfair dismissal, as required under s108 of the Employment Rights Act 1996 (the **ERA**). The Claimant's claim for ordinary unfair dismissal under s94 and s98 of the ERA therefore fails and is dismissed.
2. The Claimant's claim for breach of contract (wrongful dismissal) under Regulation 3 of the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 succeeds. The Claimant is awarded £290.58 (to be paid by the Respondent to the Claimant without PAYE deductions).
3. The Claimant's claim for failure to provide a written statement of employment particulars under s11 of the ERA succeeds. The Claimant is awarded the sum of £590.40 (to be paid by the Respondent to the Claimant without PAYE deductions).
4. The Claimant's claim for under-payment of holiday pay as an unlawful deduction from wages under s13 of the ERA succeeds. The Claimant is awarded the sum of £1561.61 gross in respect of under-payments of holiday pay (to be paid by the Respondent to the Claimant, less all applicable PAYE deductions) (the **Award**).

## NOTES

5. Mr Ian Brown (the Respondent's sole director) requested a 'full transcript' of this hearing by email dated 10 October 2019. Tribunal proceedings are not recorded and no transcript of proceedings is available. However, the Tribunal shall treat Mr

Brown's email as a request for written reasons and these shall be provided in due course.

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**Employment Judge Deeley**  
**11 October 2019**

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**Written reasons**

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.