



# EMPLOYMENT TRIBUNALS

**Claimant** Mr P Pearman

**Respondent:** Bondco 628 Limited

**HELD AT:** Sheffield

**ON:** 31 October 2019 and  
1 November 2019

**BEFORE:** Employment Judge Brain

## REPRESENTATION:

**Claimant:** Mrs C Fowler, Solicitor

**Respondent:** Mr M Hobson, Managing Director

Ms R de Ville, HR Director

# JUDGMENT

The Judgment of the Employment Tribunal is:

1. Upon the claim arising out of the claimant's role as general manager:
  - a. The respondent made an unlawful deduction from the claimant's wages between 14 February 2019 and 2 April 2019. The respondent shall pay to the claimant the net sum due to him of £1,077.90
  - b. The claimant was constructively dismissed by the respondent.
  - c. The constructive dismissal of the claimant was unfair.
  - d. By way of remedy for the constructive unfair dismissal the respondent shall pay to the claimant:
    - i. A basic award in the sum of £8,948.10
    - ii. A compensatory award in the sum of £9,811.96 which comprises:
      1. Compensation for loss of earnings from 2 April 2019 to 1 November 2019 £9,311.96
      2. Loss of statutory protection £500.00

2. Upon the complaint arising out of the claimant's role as disc jockey:
- a. The respondent failed to provide the claimant with a written statement of particulars of the reason for the claimant's dismissal. The respondent shall pay to the claimant two week's pay in the sum of £300.00
  - b. The respondent dismissed the claimant;
  - c. The dismissal of the claimant was unfair;
  - d. By way of remedy the respondent shall pay to the claimant:
    - i. A basic award in the sum of £3,525.00
    - ii. It is not just and equitable to make any compensatory award in the claimant's favour.
3. The respondent failed to provide the claimant with a written statement of employment particulars for either role. It is just and equitable for the respondent to pay to the claimant two weeks' pay in both roles subjected to the statutory cap of £508 per week £1,016.00
4. Summary of compensation due:
- a. Unlawful deduction of wages - £1,077.90
  - b. Basic awards £12,473.10
  - c. Compensatory award £9,811.96
  - d. Compensation for failure to provide written statement of particulars £1,016.00
  - e. Compensation for failure to provide written reasons for dismissal £300.00
- Total £24,678.96

Employment Judge Brain  
Date: 13 November 2019