



EMPLOYMENT TRIBUNALS

Claimant: Mr D Welsh
Respondent: Shadrake Silos Limited
Heard at: Birmingham
On: 17 December 2019
Before: Employment Judge Flood (sitting alone)

Representation

Claimant: In person
Respondent: In person

JUDGMENT

The judgment of the Tribunal is that:

1. The claimant's complaint of unlawful deduction of wages against the respondent relating to one week's pay for the period he worked between 17 and 21 May 2019 is well founded and succeeds. The respondent is ordered to pay to the claimant the sum of **£357.50**.
2. The claimant's complaint of accrued holiday pay is well founded and succeeds. The respondent is ordered to pay to the claimant the sum of **£465.60** in respect of 7 days accrued but untaken holiday pay.
3. The claimant is also awarded the sum of **£665** in respect of the failure of the respondent to provide him with a written statement of his terms and conditions in breach of its obligations under section 1 of the Employment Rights Act 1996.
4. The claimant's application for a preparation time order to be made against the respondent is unsuccessful and dismissed.
5. The respondent's counterclaim for £186.60 is not well founded and is dismissed.

6. This sum(s) payable under paragraphs 1-3 above are the gross amount to be paid and the claimant is to be responsible for any income tax and National Insurance Contributions thereon.

Employment Judge Flood

Date: 17 December 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.