



# EMPLOYMENT TRIBUNALS

BETWEEN

Claimant  
Mr D Bishop

AND

Respondent  
BPUK Environment Limited

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Plymouth

ON

15 January 2020

### Representation:

Claimant:  
Not Attend

In person Respondent:

No Appearance Entered, Did

## JUDGMENT ON REMEDY

1. That part of the Judgment entered under Rule 21 and dated 2 December 2019 to the effect that the claimant was unfairly dismissed is hereby revoked. The claimant had insufficient qualifying service to present such a claim; and
2. The claimant's claim for breach of contract succeeds in respect of one month's contractual notice pay and the respondent is ordered to pay the claimant the net sum of £3,023.00; and
3. The claimant's claim for unlawful deduction from wages succeeds in respect of the following deductions which were unlawfully made from the claimant's pay: pension contributions of £161.90 and £128.61, expenses of £54.49, a joining fee in the sum of £5,000.00 gross, and commission in the sum of £3,000.00 gross. The respondent is accordingly ordered to pay the claimant the sum of £8,345.00; and
4. The claimant's claim for accrued but unpaid holiday pay succeeds in respect of 11 days' accrued but unpaid holiday in the sum of £127.84 per day and the respondent is ordered to pay the claimant the sum of £1,406.24; and
5. The respondent failed to have any regard to the ACAS Code of Practice and a 25% uplift is claimed and awarded to the claimant on the above total sum of £12,774.24, and the respondent is therefore ordered to pay the claimant the additional sum £3,193.56 by way this uplift.

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Employment Judge N J Roper  
Dated: 15 January 2019

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