



EMPLOYMENT TRIBUNALS

Claimant: Mr A Simmonds

Respondent: Ellice Francis Group Limited

Heard at: Liverpool **On:** 26 February 2020

Before: Employment Judge Buzzard
(sitting alone)

REPRESENTATION:

Claimant: In person

Respondent: No Appearance

JUDGMENT

The respondent having presented no defence to the claimant's claims, and having heard evidence from the claimant and considered documentary evidence presented by the claimant the judgment of the Tribunal is as follows:

1. The claimant's claim for unpaid wages for the period from 1st to 25th October 2019 is well founded and succeeds. The respondent is ordered to pay to the claimant compensation in the sum of **£1,935** representing the claimant's gross salary for that period.
2. The claimant's claim that the respondent dismissed him without notice in breach of his right to receive one month's notice as specified in his contract of employment is well founded and succeeds. The respondent is ordered to pay to the claimant compensation in the sum of **£2,500** representing one month's gross salary.
3. The claimant's claim that the respondent breached his contract by failing to reimburse him for validly claimed expenses incurred in performance of his duties for the respondent is well founded and succeeds. The respondent is ordered to pay to the claimant compensation in the sum of **£246**, representing the amount of the outstanding expense claims.
4. The claimant's claim that the respondent breached his contract by failing to pay him commission as agreed at the outset of his employment and detailed in a letter dated 17 June 2019 from the respondent is well founded and

succeeds. The respondent is ordered to pay to the claimant compensation in the sum of **£150**.

5. The claimant's claim that the respondent breached his contract of employment by failing to pay for outstanding accrued and untaken annual leave on termination of his employment is well founded and succeeds. The respondent is ordered to pay to the claimant compensation in the sum of **£981** representing 8½ days holiday pay.
6. The claimant's claim that the respondent failed to provide payslips is dismissed having not been pursued at hearing.

Employment Judge Buzzard

Date: 26 February 2020

JUDGMENT SENT TO THE PARTIES ON

2 March 2020

FOR THE TRIBUNAL OFFICE

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2414560/2019**

Name of case: **Mr A Simmonds** v **Ellice Francis Group Limited**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: **2 March 2020**

"the calculation day" is: **3 March 2020**

"the stipulated rate of interest" is: **8%**

For the Employment Tribunal Office