



## EMPLOYMENT TRIBUNALS

**Claimants**

1. Mr P Russell
2. Mrs E Coleman
3. Mrs C Dean

**Respondent**

Mr Michael Higgins

Heard at: Hull

On: 5 March 2020

Before: Employment Judge Davies

**Appearances**

For the Claimants:

In person

For the Respondent:

Did not attend

## JUDGMENT

### Rule 21 Employment Tribunal Rules of Procedure

1. The Respondent has not presented a response to the claim. The claim was served on him at the premises where the Claimants worked and at another pub run by him. The Claimants believe the Respondent may have been in hospital. I am satisfied that it is appropriate to issue judgment under Rule 21. The Respondent could ask for the judgment to be set aside if appropriate. He would need to explain why he did not respond to the claims and what his defence to them is.
2. The Claimants' complaints of unauthorised deduction from wages are all well-founded and succeed as follows:
  - 2.1. The Respondent failed to pay the First Claimant, Mr Russell, for two weeks' work in September 2019. He shall pay him the gross sum of **£1040**.
  - 2.2. The Respondent failed to pay the Second Claimant, Mrs Coleman, for 49.5 hours worked. He shall pay her the gross sum of **£406.40**.
  - 2.3. The Respondent failed to pay the Third Claimant, Mrs Dean, £323 for July 2019, £1170 for August 2019 and £1170 for September 2019 (including two weeks' holiday for which she was legally entitled to be paid). He shall pay her the gross sum of **£2663**.
3. The First and Third Claimants were employees of the Respondent. He did not provide them with written contracts of employment. They requested them repeatedly. No exceptional circumstances were identified that make it unjust or inequitable to award them two weeks' pay. Given the repeated failure to provide

contracts despite requests it is just and equitable to award the higher sum of four weeks' pay. Therefore:

- 3.1. The Respondent shall pay the First Claimant the further sum of **£2080**.
- 3.2. The Respondent shall pay the Third Claimant the further sum of **£1080**.

**Employment Judge Davies**

**5 March 2020**