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EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr N A Coelho Barata

AND

BHC Hospitality Limited

HELD AT: London Central

ON: 9 March 2020

BEFORE: Employment Adkin

Representation:

For Claimant: In person

For Respondent: Not attendance

JUDGMENT

Judgment is given for the Claimant for first claim of unlawful deductions in the sum of £739.72 for a holiday pay claim in the sum of £1,109.57 and thirdly for financial losses arising under s.24(2) of the Employment Rights Act 1996 assessed in the sum of £646 the total of all three claims is **£2,495.29**.

REASONS

1. The Respondent did not attend this hearing. I have had the benefit of hearing oral evidence from the Claimant which was supported by a substantial bundle of documents. I have had the opportunity to ask him questions about this. In respect of the updated schedule of loss which was presented at today's hearing in the sum of £2,978 I have carried out my own assessment of

the figures resulting in the slightly lower sum as set out above. Details for these sums are as follows:

- a. the wages claim I assess on the basis of nine days at £82.19 per day leading to the sum of £739.72;
- b. the holiday pay I assess on the basis of 13.5 days at £82.19 (which is based on a salary of £30,000 per year) leading to a figure of £1,109.57;
- c. the financial losses arising claim I have assessed as following
 - i. the £80 for interest charged by HSBC;
 - ii. £86 a late rent penalty fee;
 - iii. £80 a Council tax summons; and
 - iv. £50 for printing documents for Court.
 - v. The final element the figure was claimed for £625 for one weeks lost wages due to not being able to travel to work. I have considered this carefully but assessing this with a broad brush trying to do justice between the Claimant who is here and the Respondent who is not here, I have assessed the loss here as best I am able as £350 leading to the total for the financial losses of £646.

Employment Judge Adkin

Dated: 14th March 2020

Reasons sent to the parties on:

16/3/2020

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For the Tribunal Office