



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case No: 4101432/2020 P

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Mr Allan Hay

Claimant

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Bryan Steele Carpets Ltd

Respondent

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JUDGMENT

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Rule 21 of the Employment Tribunal Rules of Procedure 2013

No response has been presented to this claim and an Employment Judge has decided to issue the following judgment on the available material under Rule 21.

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1. The respondent has made an unauthorised deduction from the claimant's wages in the sum of one week's pay and is ordered to pay the claimant Three Hundred and Fifty Pounds (£350) (gross) in respect of this.

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2. The claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages to the claimant in the sum of Three Thousand Eight Hundred and Fifty Pounds (£3850) (11 weeks' pay).

E.T. Z4 (WR)

3. The claimant was unfairly dismissed by the respondent and the respondent shall pay to the claimant a monetary award of Six Thousand and Seventy Five Pounds (£6075). This comprises a basic award of £5775 together with a compensatory award of £300. The figure of £300 is compensation for the claimant's loss of statutory rights. No award is made in respect of lost earnings since the claimant obtained alternative employment immediately following his dismissal and has not been seeking other employment since.
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4. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant four weeks' pay amounting to One Thousand Four Hundred Pounds (£1400). The claimant's holiday year commenced on 1 March 2019 and the claimant had not taken any paid annual leave during his current holiday year.
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5. The respondent shall be entitled to deduct from the award in respect of arrears of wages, notice pay and holiday pay any tax and national insurance contributions due under the PAYE scheme provided they advise the claimant of the amount of any said deductions, immediately pay the sums so deducted to the appropriate authorities under the PAYE scheme and provide the claimant with proof of such payment if requested.
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Employment Judge:
Date of Judgment:
Date sent to parties:

Ian McFatridge
07 July 2020
08 July 2020