



EMPLOYMENT TRIBUNALS

Claimant
Mr. M. Gregory

Respondent
Tecno Sport Ltd

v

JUDGMENT

Pursuant to rule 21 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013.

1. The complaints of unfair dismissal, breach of contract, unpaid accrued annual leave and unauthorised deductions from wages are all well founded.

2. The respondent shall pay to the claimant the following:

Breach of contract (failure to give notice of dismissal)

4 week's net pay = £4011.04
Less £1007.64 state benefits paid = **£3003.40**

Unfair dismissal

A basic award of £525 x 1 x 1.5 (claimant aged over 41) = **£787.50**

A compensatory award of:

Loss of earnings for 48 weeks (48 x £1002.76) = **£48,132.48**
Loss of pension contributions = (52 weeks at £28.85 per week) = **£1,500.02**
Loss of car = (52 weeks at £188.92) = **£9,823.84**

(I do not grant the loss of petrol expenses: this is not a *loss* arising out of dismissal because the claimant would have had to buy the petrol. If not driving for work, he would not have bought the petrol.)

Unauthorised deductions from wages:

January to August 2019 shortfall
(£44,711.61 due, less £38,559.00 paid) = £6152.61 gross +
September 2019 (one month) = £5769.24 gross

Total: **£11,921.85**

Unpaid accrued annual leave (as compensation for breach of contract where in excess of the statutory 28 days leave):

41 days at a daily rate of £288.46 gross = **£11,826.86**

4. The total to be paid by the respondent to the claimant is **£86,995.95**

Employment Judge Heal

Date:16.06.2020.....

Sent to the parties on:13.08.2020.....

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For the Tribunal Office