



EMPLOYMENT TRIBUNALS

Claimant

Mr C Coulthard

v

Respondent

Simon O'Driscoll;
t/a HS Precision Engineering

Heard at: Bury St Edmunds (by CVP)

On: 23 November 2020

Before: Employment Judge Tynan

Appearances

For the Claimant: In person

For the Respondent: In person

JUDGMENT

1. The Tribunal declares that the Respondent made an unlawful deduction from the Claimant's wages.
2. The Tribunal Orders the Respondent to pay to the Claimant the sum of **£2,084.67** in respect of the unlawful deduction from his wages.

REASONS

1. On 28 January 2020 I ordered the Respondent to pay the Claimant the sum of £2,040 in respect of an unlawful deduction from his wages as a result of the Respondent's failure to make payment to the Claimant of his notice pay. However, the Claimant was additionally owed wages by the Respondent, albeit it was not possible on 28 January 2020 for me to determine the amount of his unpaid wages.
2. At a previous hearing on 5 June 2020 the Respondent informed the Tribunal that he had been declared bankrupt and provided new contact details to the Tribunal. It seems those details were not used by the Tribunal to notify him of today's hearing, and that he only learned of the

hearing yesterday as a result of being copied into correspondence from the Claimant to the Tribunal. Nevertheless, he agreed to the hearing going ahead and, further, confirmed that he did not dispute the Claimant's calculation that there are wages of £2,084.67 owing to him. The Claimant's calculations are set out in a letter from the Claimant to the Respondent dated 5 February 2020. The Respondent did not oppose Judgment being given for the Claimant in that amount. As the Respondent is bankrupt the Claimant will pursue a claim for his wages to the Insolvency Service.

Employment Judge Tynan

Date: ...23 November 2020.....

Sent to the parties on:.....

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For the Tribunal Office