



EMPLOYMENT TRIBUNALS

Claimant

Mr Julian Scott

v

Respondent

Rigit Marine UK Ltd (in Voluntary liquidation)

Heard at: Southampton (CVP)

On: 18 January 2021

Before: Employment Judge Rayner

Appearances

For the Claimant: in person

For the Respondent: did not attend

Judgment

1. This hearing took place over video link with the judge and parties attending remotely in person. It was heard in this way because of the continuing covid 19 pandemic and the parties consented to the remote hearing.
2. The Respondent has made an unlawful deduction from the Claimants wages of 1 weeks' pay for the period of 24 -28 June 2019, for 42 hours work @ £15.00 per hour, being **£630.00 net** ;
3. The Respondent has made an unlawful deduction from the Claimant's wages of contractual travel allowance of **£120.50 net**;
4. The Respondent has made an unlawful deduction from the Claimant's wages in respect of pay for 24 days accrued but unpaid holiday of **£2800.00**;
5. The Respondent has wrongfully dismissed the Claimant without notice. The Respondent will pay the Claimant notice pay of 1 weeks average pay of **£600.00** calculated as 40 hours per week @ £15.00 per hour.
6. The Respondent failed to provide the Claimant with a written statement of terms and conditions of employment contrary to section 38 Employment Act 2002 and the claimant is awarded the maximum of 4 weeks' pay, calculated as 4 x average pay of **£600.00** per week.
7. The Respondent will therefore pay to the Claimant the total sum of **£6550.50** being a sum of the above amounts:

| | |
|--|-----------------|
| unpaid wages | £630.00 |
| Unpaid travel expenses | £120.50 |
| Outstanding Holiday pay for 24 days | £2800.00 |
| 1 weeks notice pay | £600.00 |
| Compensation of 4 weeks pay under section 38 EA 2002 | £2400.00 |
| Total payable by the Respondent to the claimant | £6550.50 |

8. The Respondents counterclaim is dismissed in its entirety.

Employment Judge Rayner

Dated: 18 January 2021

Judgment sent to parties: 26 January 2021

FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Note: online publication of judgments and reasons

The ET is required to maintain a register of all judgments and written reasons. The register must be accessible to the public. It has recently been moved online. All judgments and reasons since February 2017 are now available at: <https://www.gov.uk/employment-tribunal-decisions>.

The ET has no power to refuse to place a judgment or reasons on the online register, or to remove a judgment or reasons from the register once they have been placed there. If you consider that these documents should be anonymised in any way prior to publication, you will need to apply to the ET for an order to that effect under Rule 50 of the ET's Rules of Procedure. Such an application would need to be copied to all other parties for comment and it would be carefully scrutinised by a judge (where appropriate, with panel members) before deciding whether (and to what extent) anonymity should be granted to a party or a witness