



THE EMPLOYMENT TRIBUNALS

Claimant: Mr S Wade

Respondent: Bell Ventilation Services Limited

Heard at: Newcastle Hearing Centre (by CVP)

On: Wednesday 3rd March 2021

Before: Employment Judge Speker OBE DL

Representation:

Claimant: No attendance

Respondent: Mr James Gunnion of Counsel

JUDGMENT

The claims for arrears of pay and other deductions are dismissed.

REASONS

1. The claims by Mr S Wade against Bell Ventilation Services Limited were first heard before me on Wednesday 4th November 2020 by Cloud Video Platform. On that occasion Mr Wade, the claimant, attended. The respondent was represented by Mr Gunnion of Counsel.
2. Various documents were produced in a bundle but there was an outstanding dispute as to what monies should have been deducted or had been deducted from Mr Wade's pay, what money had been paid on his account at HMRC and whether any money should be paid.
3. What was agreed between the parties at that hearing was that the claimant was owed holiday pay in the sum of £790.00 and accordingly a judgment was made at that earlier hearing that the respondent pay to the claimant the sum of £790.00.
4. I also ordered that at least seven days before this adjourned hearing the claimant should file in the tribunal and serve upon the respondent a calculation of the precise sums which he is claiming from the respondent, setting out the legal basis of those

claims and supporting it with all documents which justified this as well as a statement of his tax position for the relevant period based upon information from Her Majesty's Revenue and Customs.

5. Although the claimant had provided some documents to the respondent, together with a brief non-specific statement, he had not filed in the tribunal the requested calculation of the sums claimed or the legal basis of them or any statement of the tax position based upon information from HMRC.
6. I have considered all of those documents which have been produced by the respondent which are of some assistance but do not identify any monies that are due from the respondent to the claimant. The documents did include an acknowledgment by the respondent of having deducted the sum of £4,958.17 from the claimant's earnings in relation to tax. The respondent has communicated those deductions to the HMRC and accordingly if there is any outstanding liability on the claimant then the respondent has accepted responsibility for deductions to the extent stated.
7. As the claimant has not participated in this virtual hearing and has sent no communication to the tribunal as to why he is not present or any explanation of any inability to so participate, I have had to consider the matter without him complying with the order which I made that he particularise, calculate and document any further claims he is making. In the absence of this and there being no evidence before me that the claimant is entitled to receive any further monies from the respondent, I dismiss all of his money claims other than the question of accrued holiday pay in respect of which a judgment has already been made.

Authorised by EMPLOYMENT JUDGE SPEKER OBE DL

JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON 11 March 2021

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