



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4109755/2021 (V)

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**Public Final Hearing held in Aberdeen by Cloud Based Video Platform
(CVP) on 8 September 2021 at 10.15am**

Employment Judge Mr. A. Tinnion

10 **Mr. Nathan Jones**

**Claimant
In person**

15 **Nigel Robson trading as 'Invergarry Hotel'**

**Respondent
In person**

JUDGMENT

- 20 1. By consent, the name of the Respondent is changed to "*Nigel Robson trading as 'Invergarry Hotel'*".
2. The Claimant's complaint of failure to pay wages under s.13(1) of the Employment Rights Act 1996 is well-founded and the Claimant is entitled to judgment in the sum of £279 (31 hours work at £9/hour).
- 25 3. The Claimant's complaint of failure to pay wages (accrued holiday pay) under s.13(1) of the Employment Rights Act 1996 is well-founded and the Claimant is entitled to judgment in the sum of £43.40.
4. The Respondent breached his duty under s.1 of the Employment Rights Act 1996 to provide the Claimant with a written statement of particulars of his employment
30 by not later than the beginning of his employment on 21 April 2021 and the

Claimant is entitled to judgment in the sum of £756 (2 weeks pay, 42 hours per week, £9/hour).

5. The Claimant's complaint of wrongful dismissal is not well-founded and is dismissed.
- 5 6. The Claimant's complaint seeking 1 month's wages for "*mistreatment*" is not well-founded and is dismissed.
7. The Claimant is required to give the Respondent credit for the following:
 - a. £113 (wages paid to date);
 - b. £50 (lost key);
 - 10 c. £65 (1 week's accommodation and food).
8. The Respondent shall pay the Claimant the net sum of £850.40.

Note

1. Reasons for the Judgment were given orally at the hearing.
2. Written reasons for the Judgment will not be provided unless they are asked for
15 by any party at the hearing itself or by a written request presented within 14 days of the sending of the written record of the decision. If no such request is received, the Tribunal shall provide written reasons only if requested to do so by the Employment Appeal Tribunal or a court.

20 **Employment Judge**

Judge A Tinnion

Date of Judgment / Reasons

8 September 2021

Date sent to parties

9 September 2021