



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A Jackson  
**Respondent:** Churrasco Limited

**Heard at:** Leeds Employment Tribunal (by CVP)

**Before:** Employment Judge Deeley

**On:** 22 September 2021

**Representation**  
**Claimant:** Mr I Ahmed (Counsel)  
**Respondent:** No attendance

## JUDGMENT

1. The claimant's complaints of:
  - 1.1 unauthorised deductions from wages (under s13 of the Employment Rights Act 1996);
  - 1.2 under-payment of holiday pay (under s13 of the Employment Rights Act 1996 and under the Working Time Regulations 1998);
  - 1.3 wrongful dismissal (notice pay) (under the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994); and
  - 1.4 failure to provide a written statement of particulars (under s38 of the Employment Act 2002);succeed and are upheld.
2. The claimant is awarded the amounts set out in the table below. The claimant is responsible for any PAYE deductions due on the awards made.

Jurisdiction	Award	ACAS uplift	Total amount
Wages (for the period 29/11/20 to 22/12/20)	£1968.06 gross	25%	£2460.08 gross

Jurisdiction	Award	ACAS uplift	Total amount
Breach of contract (TRONC payment for November 2020)	£500 gross*	25%	£625 gross
Wages (holiday pay on termination for FY 2020/21)	£2318.09 gross	25%	£2897.61 gross
Breach of contract (notice pay)	£871.56 net	25%	£1089.45 net
Failure to provide a statement of written particulars	£1076 (i.e. 2 weeks' capped pay)	N/A	£1076
<b>Total award</b>			<b>£8148.14</b>

\*Awarded on a gross basis due to lack of PAYE information.

## NOTES

3. The form of remote hearing was “V: video - fully (all remote)”. Neither party objected to holding this hearing as a remote hearing.
4. Reasons for this judgment were given orally at the hearing. Written reasons will not be provided unless a written request is made by either party either:
  - 4.1 at the hearing; or
  - 4.2 within 14 days of the date on which the Tribunal sends this judgment to the parties.

Employment Judge Deeley

**Date: 22 September 2021**

JUDGMENT SENT TO THE PARTIES ON  
22 September 2021

Olivia Vaughan  
FOR EMPLOYMENT TRIBUNALS

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