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## EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4106680/2020

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Preliminary Hearing Held via Cloud Video Platform (CVP) on 21 June 2021

Employment Judge R McPherson

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Mr Patrick Gallogley

Claimant  
In person

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YWR Airdrie Ltd

Respondents  
Represented by  
J Stocks  
Director

### JUDGMENT OF THE EMPLOYMENT TRIBUNAL

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The judgment of the Employment Tribunal is as follows (oral reasons having been given at the hearing in accordance with Rule 62(2) of the Employment Tribunal Rules of Procedure 2013);

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1. The respondent made **unauthorised deduction** from wages contrary to s13 of the Employment Rights Act 1996 (ERA 1996) and the respondent is ordered to pay the claimant the sum of **£3,206.50** in respect of 11 weeks wages to which he was entitled in the period from 26 March 2020 to 31 July 2020.

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2. The respondent breached the claimant's contract and is ordered to pay the claim the sum of **£660.00** in respect of damages for the respondent failure to give 2 weeks statutory notice under s86(4) of ERA 1996.

3. The claimant is entitled to **redundancy payment** under s135 of ERA 1996 and the respondent is ordered to pay the claimants the sum of **£990.00** in this regard.
4. The respondent made **unauthorised deduction** from wages contrary to s113 of ERA 1996 and is ordered to pay the claimant the sum of **£726.00** in respect of 11 days of accrued holiday pay.
5. The sums awarded 1, 2 and 4 are expressed gross of tax and national insurance. It is for the respondent to make any deductions lawfully required to account to HMRC for any tax and national insurance due on the sums, if applicable.
6. The Employment Protection (Recoupment of Job Seekers Allowance and Income Support) Regulations 1996 do not apply to any of the sums awarded above.

#### REASONS

- 15 Oral reasons were given at the final hearing held via Cloud Video Platform (CVP), no request for or written reasons having been made by a party at the hearing.

20 Employment Judge: Rory McPherson  
Date of Judgment: 21 June 2021  
Entered in register: 30 June 2021  
and copied to parties