



EMPLOYMENT TRIBUNALS

Claimant: Mr E Hudson

Respondent: Crassus Grab Hire Limited

Appearances

Claimant: in person
Respondent: no attendance

Heard at: Nottingham by CVP **Before:** Employment Judge Butler (sitting alone)

Heard on: 25 January 2022

Covid-19 statement:

This was a remote hearing. The parties did not object to the case being heard remotely. The form of remote hearing was V – video. It was not practicable to hold a face-to-face hearing because of the Covid-19 pandemic.

JUDGMENT

The Judgment of the Tribunal is:

1. The respondent has made unauthorised deductions from the claimant's wages and is ordered to pay the claimant the gross sum of £ 900.00.
2. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the sum of £1,125.00.
3. The total amount to be paid to the Claimant is £1,925.00.

REASONS

The Claim

1. The Claimant presented his claim to the Tribunal on 16 May 2021 after a period of early conciliation. His claim form indicated that on termination of his employment on 24 April 2021 he was not paid the week in hand he had worked in the first week of his employment in January 2021. Further, he was not paid accrued holiday pay when he left the Respondent's employment. The Respondent submitted a response saying only that the Claimant had been paid all sums due to him.

2. The Respondent was ordered to provide a full response in October 2021 but failed to comply with the Tribunal's order sent to him on 18 October 2021. The Respondent failed to attend today's hearing. I am satisfied that notice of the hearing was sent to the Respondent. It was not possible to contact the Respondent as no telephone number was given on the Response form. I decided to proceed in the Respondent's absence.

The Evidence

3. The Claimant affirmed and gave oral evidence. He also produced a schedule of loss and some payslips as proof of his earnings. His evidence went unchallenged and I accepted his evidence that the above sums were due to him and had not been paid. The failure to pay wages amounted to unauthorized deductions under section 13 of the Employment Rights Act 1996 and the failure to pay holiday pay was a breach of the Working Time Regulations 1998.

Employment Judge **Butler**

Date: 25 January 2022

JUDGMENT SENT TO THE PARTIES ON

.....
AND ENTERED IN THE REGISTER

.....
FOR THE TRIBUNAL OFFICE