



EMPLOYMENT TRIBUNALS

Claimant: Mr M Bradfield-Humphreys

Respondent: Macob Scaffolding Limited

Heard at: Remotely by video from Cardiff

On: 21 January 2022

Before: Employment Judge Russell

Representation

Claimant: Mr Williams, consultant

Respondent: Ms Zakrzewska, litigation consultant

JUDGMENT

1. The Claimant does not have sufficient qualifying service to bring complaints for unfair dismissal and statutory redundancy pay. The Tribunal has no jurisdiction to hear these complaints and they are dismissed against the Respondent.
2. The Respondent made an unauthorised deduction from wages by failing to pay the Claimant in lieu of accrued but untaken holidays. The Respondent is ordered to pay the sum of **£1,246.14** gross (9 days x daily rate of £138.46 gross) being the gross sum unlawfully deducted.
3. The Respondent made an unauthorised deduction from wages by failing to pay the Claimant a sum of notice pay. The Respondent is ordered to pay the sum of **£692.31** gross (1 week x weekly rate of £692.31 gross) being the gross sum unlawfully deducted.
4. The Respondent failed to provide the Claimant with a written statement of employment particulars. It is just and equitable in all the circumstances for the Claimant to be awarded the higher amount of payment under section 38(2)(b) of the Employment Act 2002 being an amount of four weeks' pay. This sum is subject to the statutory cap on a week's pay of £544. The Respondent is ordered to pay the Claimant the sum of **£2,176** gross (4 x £544).
5. The total sum that the Respondent must pay the Claimant is **£4,114.45** gross.

Employment Judge Russell

Date 21 January 2022

JUDGMENT SENT TO THE PARTIES ON 3 February 2022

FOR THE TRIBUNAL OFFICE Mr N Roche

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

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