



EMPLOYMENT TRIBUNALS

Claimant: Mr L Crompton
Respondent: Workhive Limited
Heard at: East London Hearing Centre (via CVP)
On: 29th March 2022
Before: Tribunal Judge S Iqbal sitting as, an Employment Judge

Representation

Claimant: In Person
Respondent: In Person

JUDGMENT

1. The Claimant's claim of unfair dismissal brought under section 94 and section 104 of the Employment Rights Act 1996 is well founded.
2. The Tribunal found that:
 - a. The Claimant is not entitled to a basic award as he was employed for under a year;
 - b. The Claimant is awarded a compensatory award for is **£2,437 net**;
 - c. The Tribunal finds it is just and equitable to increase the award for compensation by 12.5% in the sum of **£305 net**;
 - d. The Respondent is ordered to pay the Claimant the total net award of **£2,742**.
3. Upon the Respondent conceding that the Claimant's claim for unauthorised deductions from wages by failing to pay the claimant holiday pay in the sum of **£1471.24** which is due, under his employment contract and/or under the Working Time Regulations 1998, the Tribunal finds the claim is well-founded.
4. Upon the Respondent conceding the Claimant's claim for unauthorised deduction of wages by failing to pay the full amount of wages due for the months of May

and June 2021, in the sum of **£560.98** being the total gross sum deducted, the Tribunal finds the claim is well-founded.

5. Upon the Respondent conceding the Claimant's claim for unauthorised deductions from wages by failing to pay the Claimant for the month of July 2021 in the sum of **£1833.33** being the total gross sum, the Tribunal finds the claim is well-founded.
6. The Respondent concedes he was in breach of contract by dismissing the claimant without notice and the Claimant has suffered loss and damages. The Tribunal makes no separate claim for this element as the amount claimed is extinguished by the award made for compensatory award for unfair dismissal.
7. For the avoidance of doubt the Respondent **is ordered to pay the following amounts:**
 - (i) The Compensatory award in the sum of **£2,742 (net)**.
 - (ii) Unauthorised deductions from wages by failing to pay the claimant holiday pay in the sum of **£1471.24** (less any deductions required by tax and national insurance in law)
 - (iii) Unauthorised deduction of wages by failing to pay the full amount of wages due for the months of May and June 2021, in the sum of **£560.98** (less any deductions required by tax and national insurance in law)
 - (iv) Unauthorised deductions from wages by failing to pay the Claimant for the month of July 2021 in the sum of **£1833.33**
8. The recoupment regulations do apply to the award made under paragraph 2 of this order (compensatory award):
 - (i) the prescribed amount of **£2,437**
 - (ii) the prescribed period of 28th July 2021 to the 13th September 2021
 - (iii) the total monetary award for unfair dismissal **£2,742** and the amount by which the monetary award exceeds the prescribed amount is £305

**Tribunal Judge S Iqbal sitting as, an Employment Judge
Dated: 29 March 2022**