



EMPLOYMENT TRIBUNALS

Claimant Mr R Eaton

Respondent Drain and Tank Engineering Limited
(in voluntary liquidation)

Heard at: Exeter (by remote hearing)

On: 6 May 2022

Before:
Employment Judge Goraj

Representation

The Claimant: in person

The Respondent: did not attend and no response entered

JUDGMENT

The JUDGMENT OF THE TRIBUNAL is that: -

1. The claimant was unfairly dismissed by the respondent in breach of sections 100 (1) (c) and 100 (1) (e) of the Employment Rights Act 1996.
2. The claimant was wrongfully dismissed by the respondent without notice in breach of contract in respect of which the claimant is awarded, and the respondent is ordered to pay to him, damages of one week's net pay in the sum of £331.57.
3. The respondent made unlawful deductions in breach of section 13 of the Employment Rights Act 1996 in respect of the claimant's wages and holiday pay in the total sum of £1,884.75 which sum the respondent is ordered to pay to the claimant.

4. It is also just and equitable to increase the unlawful deductions award of £1,884.75 by 25% pursuant to section 207 A (2) of the Trade Union & Labour Relations (Consolidation) Act 1992 in the sum of £471.19 (£1,884.75 x 25%).
5. Further, the claimant is awarded, and the respondent is ordered to pay to him, 2 weeks' gross pay in the sum of £869.90 (2x £434.95) pursuant to Section 38 of the Employment Act 2002 in respect of the failure of the respondent to provide the claimant with a statement of employment particulars as required pursuant to section 1 of the Employment Rights Act 1996.
6. The claimant is therefore awarded, and the respondent is ordered to pay to him, the total sum of **£3,557.41** (£331.57 +£1,884.75 +£471.19 + £869.90)

Employment Judge Goraj
Date: 13 May 2022

JUDGMENT SENT TO THE PARTIES ON
06 June 2022 By Mr J McCormick

FOR THE OFFICE OF THE TRIBUNALS

As reasons for the Judgment were announced orally at the Hearing written reasons shall not be provided unless they are requested by a party within 14 days of the sending of this Judgment to the parties.

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(where appropriate, with panel members) before deciding whether (and to what extent) anonymity should be granted to a party or a witness