



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Adam Hallsworth  
**Respondent:** NAM Global Limited  
**Heard at:** Watford Hearing Centre  
**On:** 16 & 17 May 2022  
**Before:** Employment Judge G Tobin  
Mrs A Brosnan  
Mr A Scott

## **Representation**

**Claimant:** Ms A Greenley (counsel)  
**Respondent:** Mr J Fitzgerald (director)

# JUDGMENT

The unanimous Judgment of the Employment Tribunal is that:

1. The claimant was not dismissed by the respondent, so the following claims fail:
  - a. Constructive unfairly dismissal pursuant to section 95(1)(c) Employment Rights Act 1996.
  - b. Unfair dismissal, pursuant to s94 Employment Rights Act 1996.
  - c. Automatic unfair dismissal, pursuant to s101A Employment Rights Act 1996.
  - d. Wrongful dismissal, i.e. dismissal in breach of contract.
2. The claimant was subjected to detriment for asserting his statutory rights to be paid his annual leave entitlements in breach of s45A Employment Rights Act 1996.
3. The claimant was not discriminated by the respondent on the grounds of his age, in breach of s13 Equality Act 2010.

4. The claimant was not paid his full annual leave entitlement in breach of regulations 13 of the Working Time Regulations 1998.
5. The claimant suffered an unlawful deduction of wages contrary to s13 Employment Rights Act 1996.
6. The respondent failed to provide the claimant with written particulars of his employment, in breach of s1 Employment Rights Act 1996.
7. The claimant is awarded total compensation as follows:

a. 6 days accrued and untaken holiday pay -	£480.00*
b. Detriment for asserting statutory rights and non-payment of wages (also includes notice pay) -	£40,160.00*
c. 2 weeks wages for s1 ERA breach	<u>£800.00</u>
Total	£41,440.00
8. The respondent's contract claim for damages caused to a company vehicle, under the Extension of Jurisdiction Order 1994, fails.
9. The claimant's application for reimbursement of some of his legal costs, made under rules 76(1)(a) and 76(1)(b) Employment Tribunal Rules of Procedure succeeds, and the Tribunal awards the claimant £2,375.00.
10. There being no further matters outstanding, proceedings are now concluded.

\*As these figures are awarded gross, they may be subject to deduction for tax and national insurance as appropriate.

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Employment Judge Tobin

30/5/2022

JUDGMENT SENT TO THE PARTIES ON

17/6/2022

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FOR THE TRIBUNAL OFFICE

**Note**

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.

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