



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr R. Mckenzie

**Respondent:** Be Sure Group Ltd.

**Heard at:** Manchester (by video)

**On:** 8 June 2022

**Before:** Tribunal Judge Callan

## Representation

Claimant: Mr. L. Mckenzie (claimant's father)

Respondent: No appearance

# JUDGMENT

1. The respondent has made unlawful deductions from the claimant's wages and is ordered to pay to the claimant the total sum of £1,992.28 gross.

# REASONS

2. The respondent failed to present a response to the claim within the time limit specified in the Notice of a Claim sent on 28 April 2022. Notice of the hearing was sent to the parties on 28 April 2022.
3. The claimant presented documentation which included his conditional offer of employment, payslips for the months of December 2021 and January 2022, the respondent's company vehicle policy, personal equipment issue and extensive email exchanges between the parties in the period from 1 February to 9 February 2022. I was satisfied that the claim could be determined on the basis of that material.
4. The sum in paragraph 1 above is made up of £451.90 gross for 5 days accrued holidays in the period 18/10/2021 to 21/01/2022 which remained unpaid on the termination of the claimant's employment.
5. The sum of £1,265.38 gross is in respect of wages due in the period 02/01/2022 to 31/01/2022.

6. The further sum of £275 gross was unlawfully deducted from the claimant's pay due on 31 December 2021.

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Tribunal Judge **Jane Callan** sitting  
In the Employment Tribunal as an Employment  
Judge

Date 08 June 2022

JUDGMENT SENT TO THE PARTIES ON

24 June 2022

FOR THE TRIBUNAL OFFICE

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**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2402012/2022**

Name of case: **Mr R Mckenzie** v **Be Sure Group Ltd**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 24 June 2022

"the calculation day" is: 25 June 2022

"the stipulated rate of interest" is: **8%**

Mr S Artingstall  
For the Employment Tribunal Office

## INTEREST ON TRIBUNAL AWARDS

### GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at [www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426](http://www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426)

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".
3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.
4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).
5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.
6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.