



EMPLOYMENT TRIBUNALS

Claimants: Mr S Matthews

Respondent: Tees Valley Community Asset Preservation Trust

HELD AT: Newcastle

ON: 16-18 May and 11
July 2022

BEFORE: Employment Judge Aspden

REPRESENTATION:

Claimants: Mr G Matthews

Respondent: 16-18 May: Mr Landers, chair
11 July: no attendance

JUDGMENT

The judgment of the Tribunal is as follows:

1. Mr S Matthews' complaint that the respondent made unlawful deductions from wages by paying him for 7.5 hours per weekend shift worked instead of 8.5 hours is well founded. The respondent is ordered to pay to him the amount owing of £61.62.
2. When these proceedings were begun, the respondent was in breach of its duty to Mr S Matthews under section 1(1) of the Employment Rights Act 1996 (duty to give statement of employment particulars). The respondent is ordered to pay to Mr S Matthews an award under section 38 of the Employment Act 2002 in the sum of 2 weeks' pay. With regard to remedy:
 - a. Mr S Matthews must write to the Tribunal and the respondent by 15 July 2022 setting out the amount he says represents 2 weeks' pay for him and how it is calculated.
 - b. The respondent must write to the Tribunal within 7 days of receiving this judgment or 7 days of receiving Mr S Matthews' calculation (whichever date is later) saying whether or not it agrees it and that a

judgment should be made ordering the respondent to pay that amount. If the respondent does not agree that the amount due is as stated by Mrs Matthews it must say why and provide its own calculation of the amount due.

3. The following of Mr S Matthews' complaints are not well founded:
 - a. The complaints that the respondent made more extensive unlawful deductions based on an allegation that the express contract terms entitled him to be paid until 6pm (rather than 5.30pm).
 - b. The complaints in respect of holiday pay.

Employment Judge Aspden

Date 12 July 2022

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.