



EMPLOYMENT TRIBUNALS

Claimant: Brendan Perry
Respondent: 5 Solutions Ltd
Heard at: London East Hearing Centre
On: 9 August 2022
Before: Employment Judge Sugarman

Representation

Claimant: In person
Respondent: Did not attend

JUDGMENT

1. The Claimant's claim of unlawful deductions from wages in respect of pay due on 1 or 2 November 2021 for work done in the period 26 September - 25 October 2021 succeeds. The Respondent is ordered to pay the Claimant **£40 gross** in respect of the sum unlawfully deducted.
2. The Claimant's claim of unlawful deductions from wages in respect of pay due on 1 or 2 December 2021 for work done in the period 26 October - 25 November 2021 succeeds. The Respondent is ordered to pay the Claimant **£1,543.88 gross** in respect of the sum unlawfully deducted.
3. The Claimant's claims of unlawful deductions from wages and breach of the Working Time Regulations 1998 in respect of taken but unpaid holiday in November 2021, which should have been paid on 1 or 2 December 2021, succeeds. The Respondent is ordered to pay the Claimant the sum of **£1,203.60 gross** in respect of the unpaid holiday.
4. The Claimant's claim of unlawful deductions from wages in respect of pay due on termination in respect of work done in the period 26 November – 3 December 2021 succeeds. The Respondent is ordered to pay the Claimant **£460 gross** in respect of the sum unlawfully deducted.
5. The Claimant's claim of wrongful dismissal succeeds and the Respondent is ordered to pay the Claimant the sum of **£460 gross** in respect of unpaid notice pay.
6. Therefore, pursuant to paragraphs 1- 5, the Respondent is ordered to pay the Claimant **the total gross sum of £3707.48** from which appropriate deductions

for tax and national insurance may be made.

7. The Respondent is also ordered to pay the Claimant an additional **£926.87** pursuant to s207A of the Trade Union and Labour Relations (Consolidation) Act 1992, representing a 25% uplift on the awards made for unlawful deduction from wages and wrongful dismissal.

**Employment Judge Sugarman
Dated: 9 August 2022**