



EMPLOYMENT TRIBUNALS

Claimant: Mr T Clancy (First Claimant)
Mr D Thomas (Second Claimant)

Respondent: 414 Social Limited

Heard at: Cardiff (CVP) **On:** 25 August 2022

Before: Employment Judge R Evans

Representation

Claimant: In person
Respondent: Mr A Young (director)

UPON the First Claimant's claim having been adjourned administratively on 23 August 2022 and the Second Claimant's claim having been determined today.

JUDGMENT

1. The Second Claimant's claim for breach of contract is well-founded and upheld. The Respondent is ordered to pay to the Second Claimant the sum of **£538.46**.
2. The Second Claimant's claim for unauthorised deduction from his wages is well-founded and upheld. The Respondent has made an unauthorised deduction from the Second Claimant's wages and is ordered to pay the claimant the sum of **£215.38**.
3. The Second Claimant's claim for holiday pay under the Working Time Regulations 1998 is well-founded and is upheld. The Respondent is ordered to pay to the Second Claimant the sum of **£1,048.90**.
4. The sums at paras 1 to 3 are the gross sums and total **£1,802.74**. This judgment is made on the basis that the claimant receives gross payments before national insurance and tax are deducted. The Second Claimant must account to Her Majesty's Revenue and Customs ('HMRC') for any tax which is payable once his judgment is satisfied by the Respondent.

5. In respect of the First Claimant's claim the following directions are given:
- a. The First Claimant's claim is listed before an **Employment Judge sitting alone** on the **first open date on or after 9 September 2022** (t/e two hours and to be conducted via CVP). The Hearing will be to determine liability and quantum.
 - b. Should the First Claimant or Respondent wish to rely upon any evidence, they must send it to the Tribunal Office and to the other parties by **three working days prior to the Hearing**.
 - c. The attendance of the Second Claimant is excused at the next Hearing.
 - d. The parties should immediately notify the Tribunal if they have agreed a settlement and the next Hearing date is not required.

Signed by Employment Judge R Evans

25 August 2022

JUDGMENT SENT TO THE PARTIES ON 30 August 2022

FOR THE TRIBUNAL OFFICE Mr N Roche

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.

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