



EMPLOYMENT TRIBUNALS

Claimant: Mr A Bailey

First Respondent: ARH UK Limited

Second Respondent: Mr I Coll

Heard at: Manchester

On: 21-22 September 2022

Before: Employment Judge Humble

Dr H Vahramian

Mr J Flynn

REPRESENTATION:

Claimant: Ms McCarthy, Solicitor

Respondents: No Attendance

JUDGMENT

The Judgment of the Employment Tribunal is as follows:

1. The Respondents did not subject the claimant to a detriment on the ground that he made a protected disclosure. That claim is dismissed.
2. The claim for unfair dismissal under section 103A ERA 1996 is dismissed upon withdrawal by the Claimant.
3. The Claimant was not dismissed for asserting a statutory right under section 104 ERA 996. The unfair dismissal claim is dismissed.
4. The complaint of sex discrimination succeeds against both the First and Second Respondents.
5. The First Respondent made unauthorised deductions from the claimant's wages.
6. The claim for a failure to provide itemised payslips was not pursued and is dismissed.
7. In respect of the award for sex discrimination, the First and Second Respondents are ordered to pay the Claimant the total sum of £12276,

comprising £9900 for injury to feelings and £2376 interest. The First and Second Respondents are jointly and severally liable to pay that award.

8. In respect of the award for unauthorised deduction from wages, the First Respondent is ordered to pay the Claimant the total sum of £13,830, comprising
 - a) £6,100 for unpaid bonus in February, May and August 2020;
 - b) £3,500 in respect of unpaid wages in April, May and June 2020; and
 - c) £4,230 of accrued holiday pay due to the claimant upon termination of his employment.

Employment Judge Humble
Date 30th September 2022

JUDGMENT SENT TO THE PARTIES ON
14 October 2022

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.

Public access to employment tribunal decisions

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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2400599/2021**

Name of case: **Mr A Bailey** v **1. ARH UK Limited**
2. Mr Ian Coll

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 14 October 2022

the calculation day in this case is: 15 October 2022

the stipulated rate of interest is: **8% per annum**.

Mr S Artingstall
For the Employment Tribunal Office

GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:
www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.