



EMPLOYMENT TRIBUNALS

Claimant: Mr R Wilson

Respondent: North Lincs Tyres Limited

Heard at: Nottingham (via CVP)

On: 24 October 2022

Before: Employment Judge Varnam

Representation

Claimant: In person

Respondent: Ms J Eatock, solicitor

JUDGMENT

1. The Claimant's claims alleging unlawful deductions from wages and/or a failure to pay sums due in respect of annual leave were brought outside the primary time limits set out in section 23(2) of the Employment Rights Act 1996 and regulation 30(2) of the Working Time Regulations 1998, but
 - (1) It was not reasonably practicable for the Claimant to bring the claims within the primary time limits;
 - (2) The claims were presented within a reasonable period following the expiry of the primary time limits; and
 - (3) The Tribunal accordingly has jurisdiction to consider the claims.
2. The Respondent made unlawful deductions from the Claimant's wages, contrary to sections 13 and 23 of the Employment Rights Act 1996, by failing to pay the full holiday pay to which the Claimant was entitled. These deductions totalled £1,493.10 gross.
3. The Respondent also failed to pay the Claimant part of the sums due to him in respect of annual leave under regulation 16(1) of the Working Time Regulations 1998, but no separate award is made in respect of this, because that would duplicate the award already made by paragraph 2 above.
4. The Respondent is accordingly ordered to pay the gross sum of £1,493.10 to the Claimant.

Employment Judge **Varnam**

24 October 2022

JUDGMENT SENT TO THE PARTIES ON

3 November 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

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