



# EMPLOYMENT TRIBUNALS

**Claimant**

Mr J Schumacher

**Respondent**

v Victuals Trading Limited t/a Brooks

**Heard at:** Watford

**On:** 4 November 2022

**Before:** Employment Judge Wyeth

**Appearances**

**For the Claimant:** In person

**For the Respondent:** Mr P Frith (Director/owner)

## JUDGMENT

1. The respondent made an unauthorised deduction of wages owed to the claimant totalling £292.92.
2. The respondent is ordered to pay to the claimant the total sum of £292.92 gross.

## REASONS

1. At the outset of the hearing the claimant confirmed that the complaints he was making were limited to payment in lieu of unpaid holiday due upon termination of his employment in accordance with the Working Time Regulations 1998 and unauthorised deduction of wages for one hour's pay totalling £12 gross. He was not pursuing a complaint of unfair dismissal.
2. Having heard evidence from both the claimant and Mr Frith for the respondent, both parties agreed that the amount of the claimant's holiday claim totalled £280.92. There was also no dispute between claimant and the respondent (or, rather, Mr Frith) that there was no written contract in existence and nothing in writing authorising the respondent to make deductions from the claimant's wages.
3. Although there was initially some dispute between the parties as to whether the claimant should have been paid for 51 hours rather than 50, Mr Frith conceded at the hearing that a further hour should be paid.
4. Accordingly the respondent was not entitled to make the deductions it accepted it had made to the claimant's wages and in accordance with Part

II of the Employment Rights Act 1996 and Regulation 14 of the Working Time Regulations 1998 the total sum of £292.92 is due to the claimant.

Employment Judge Wyeth

4 November 2022

Sent to the parties on:

12/12/2022

N Gotecha

For the Secretary to the Tribunals