



EMPLOYMENT TRIBUNALS

Claimant: Mr S Wass

Respondent: Aspins Bakery Limited

HELD AT: Newcastle, by video

ON: 8 December 2022

BEFORE: Employment Judge Aspden

REPRESENTATION:

Claimant: No attendance

Respondent: No attendance

JUDGMENT

The judgment of the Tribunal is:

1. The claimant's complaint that the respondent breached his contract of employment by terminating it without notice was brought outside the time limit set out in article 7 of the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994. Therefore, the Tribunal does not have jurisdiction to consider the claim. The claim is dismissed.
2. The claimant's complaint that the respondent made a deduction from his wages in contravention of section 13 of the Employment Rights Act 1996 by failing to pay wages due for the period 26 February 2022 to 13 March 2022 is well founded.

3. The claimant's complaint that the respondent failed to pay to him a payment in respect of accrued but untaken holiday under regulation 14 of the Working Time Regulations 1998 is well founded to the extent that it relates to holidays that accrued between 1 January 2022 and the termination of the claimant's employment in March 2022.
4. The claimant's complaint that the respondent failed to pay to him an amount in respect of accrued but untaken holiday is not well founded to the extent that it relates to holidays that accrued before 1 January 2022.
5. The respondent must pay to the claimant the following amounts (subject to any deductions the respondent is required, by law, to make in respect of tax and/or national insurance):-
 - a. £680, being the amount deducted from the claimant's wages in contravention of section 13 of the Employment Rights Act 1996
 - b. £312.80, being the amount remaining due to the claimant under regulation 14 of the Working Time Regulations 1998 in respect of accrued, untaken holiday.

Employment Judge Aspden

Date 29 December 2022

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.