



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr L Nowak

**Respondent:** Classic Carbon Ltd

**Heard at:** Exeter (CVP) **On:** Friday 13 January 2023

**Before:** Employment Judge A Matthews

**Representation:**

**Claimant:** In Person

**Respondent:** Did not attend and was not represented (No Response entered)

## JUDGMENT

1. Mr Nowak's claim under section 23 of the Employment Rights Act 1996 (wages) is well founded. The Respondent is ordered to pay Mr Nowak £2,498.64 in this respect.
2. Mr Nowak's claim under regulation 30(1) of the Working Time Regulations 1998 that the Respondent has failed to pay Mr Nowak an amount due under regulation 14(2) of those Regulations (holiday pay) is dismissed on withdrawal.

## REASONS

1. Mr Nowak produced payslips recording the wages due to him in October and November 2021. The Tribunal is satisfied on the evidence the Tribunal heard from Mr Nowak that he did not receive £1,648.64 due to him as recorded on his October payslip and £600 due to him as recorded on his November payslip.

2. Although Mr Nowak did not produce his August payslip, the Tribunal is satisfied that Mr Nowak did not receive £250 due to him as recorded on that payslip.
3. The Tribunal is satisfied that these amounts remain unpaid and the award is accordingly made. The payslips record deductions for NI and PAYE, so the award is to be paid in full, without deduction.

Employment Judge A Matthews  
Date: 13 January 2023

Judgment & reasons sent to the Parties: 24 January 2023

FOR THE TRIBUNAL OFFICE