



EMPLOYMENT TRIBUNALS

Claimant: Ryan Lawton
Respondent: Gas Membrane Installations Ltd (in Voluntary Liquidation)
Heard at: Bristol (video hearing) **On:** 10 February 2023
Before: Employment Judge Housego

Representation

Claimant: In person
Respondent: Did not appear was not represented and sent no representation (other than that the managing director of the Respondent sent in notice of the appointment of liquidators)

JUDGMENT

1. The Respondent is ordered to pay to the Claimant holiday pay of £534.37.
2. The Respondent is ordered to pay to the Claimant notice pay of £593.75.
3. The Respondent made deductions from the wages of the Claimant contrary to S13 of the Employment Rights Act 1996.
4. The Respondent is ordered to pay to the Claimant unpaid wages of £871.97 and to reimburse expenses claimed of £197.50.
5. The total the Respondent is ordered to pay to the Claimant is £2,179.59.

REASONS

1. The Respondent sent in notice of the appointment of liquidators effective 29 June 2022, and the liquidators have not responded to the claim.
2. The Claimant installed gas membranes at building sites as a remote worker. He started work on 11 October 2021. He was entitled to a meal allowance as well as his pay. There were shortages in his pay and allowances. He got in touch with Roger Semple (whose company it was). These were rectified. The problem recurred. The Claimant decided to leave and gave a week's notice. He did not work

that notice as it was over the Christmas break (so giving a leaving date of 01 January 2022). Most of the workforce was unpaid at Christmas, while Mr Semple went off on holiday to Thailand. He said he would resolve the issues from there but did not do so and has not done so since.

3. This claim was lodged on 17 March 2022.
4. The matter remained unresolved when on 29 June 2022 liquidators were appointed. They are Julie Anne Palmer and Andrew Hook of Begbies Traynor (Central) LLP (yasemen.altinci@btuk.com, telephone 01908 489409).
5. On 30 January 2023 the Claimant emailed the Tribunal to set out how much he was claiming. He was first asked to do so by letter of 15 July 2022, and he was reminded about it on 27 January 2023 by email.
6. His email stated:

Hi I have managed to get all the details of the money that is owed to me
4.37 days holiday what wasn't paid what works out to be roughly 42.75 hours paid at £12.50 = £534.37
One weeks notice that's wasn't paid what works out to be 47.5 hours at £12.50 = £593.75
Wages where down by £871.97
Unpaid food allowance of £197.50
So the total of the full amount owed is £2197.59
Thanks ryan

7. The Claimant gave oral evidence on affirmation which I accept to be true, summarised above. He attested to the accuracy of his email, above.
8. If the liquidators are not able to meet this award, the Claimant will need to make a claim from the government department, the Department for Business and Trade (formerly the Department of Business Energy and Industrial Strategy, and before that, from 2009, the Department of Business Innovation and Skills). The website address for such a claim is to be found at <https://www.gov.uk/claim-redundancy> .

Employment Judge Housego
Date: 10 February 2023

Judgment sent to the Parties: 23 February 2023

FOR THE TRIBUNAL OFFICE