



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Matthew Flawn

**Respondent:** Navrtar Ltd

**Heard at:** London Central ET (by CVP video hearing) On: 9 February 2023

**Before:** Employment Judge Hena

## Representation

Claimant: In Person (supported by Ms Wendy Flawn - mother)

Respondent: Ms Splavska (Consultant) with Directors Mr Saajan Kanani

# JUDGMENT

The Tribunal's findings in respect of this claim are:

1. The respondent increased the claimant's hours from £10.50 per hour to £13.00 per hour at a meeting on 25 March 2022 upon the claimant's request.
2. The respondent agreed to pay the wage increase by bonus given that the claimant would be leaving on 18 April 2022, and this is reflected in his wage slip of 1 April 2022 at page 84 of the bundle.
3. The claimant worked 78.75 hours until 13<sup>th</sup> April 2022 as per the respondent's witness statement, hours which the claimant agreed with.

4. The respondent has underpaid the claimant by failing to provide a bonus which reflected the £13.00 p/h increase. The respondent is to pay the claimant the sum of **£140.34** based on the 78.75 hours worked (**£1023.75 - £883.41**) with their PAYE deducting appropriate tax and NI.
5. The claimants claim for interest cannot succeed as the Employment Tribunal has no jurisdiction to award interest on such a claim.
6. The claimant was owed two days holiday pay this was paid into the claimant's bank account as of the date of the hearing and there is no further leave outstanding.
7. The respondent has underpaid the claimant for the two days holiday leave paid on 6 February 2023. The respondent is to pay the claimant the sum of **£30 (£161.20 – 130.20)** with their PAYE deducting appropriate tax and NI.
8. The respondent should have reimbursed the claimant the sum of £102.24 for uniform as it was returned. The respondent is to pay the claimant the sum of **£102.24** the amount it deducted for uniform.
9. **The total sum owed by the respondent to the claimant is £272.58.**

In respect of the case management applications made prior to the hearing commencing the Tribunal found:

1. The claimant's application to amend his claim to include the deduction for Uniform was permitted given that the deduction was not made clear in the wage slip issued to him on 24 June 2022, he cited the deduction is cited in the attached grounds to his ET1 once he became aware of it and was not aware how to please the loss.

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Employment Judge Hena

Date: 09 February 2023

JUDGMENT SENT TO THE PARTIES ON

14/03/2023

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.

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