



EMPLOYMENT TRIBUNALS

BETWEEN

Claimants and **Respondent**

Antonio Gay (1)

Andrew Field
t/a Heighway Field Associates

Timothy Williamson (2)

Martin Hughes (3)

Held at: Exeter by Video

On: 8 March 2023

Before: Employment Judge Smail

Appearances:

First Claimant:	Mr T. Davies (Solicitor)
Second Claimant:	In Person
Third Claimant:	In Person
Respondent:	In Person by telephone

JUDGMENT

1. The claims of all Claimants for unauthorised deductions, breach of contract and holiday pay are well-founded.
2. The First Claimant was unfairly constructively dismissed by the Respondent.
3. The claims of the Second and Third Claimants for unfair dismissal and notice payments are the subject of later proceedings and are not covered by this Judgment.
4. The Respondent must pay the following amounts within 14 days:

**Case Numbers: 1403646/2022
1404019/2022
1404060/2022**

To the First Claimant (Gay)		£
1	Notice Pay (net)	4989.12
	ACAS uplift 15%	748.37
2	Basic Award/Redundancy Payment (gross)	9615.40
	ACAS Uplift 15%	1442.31
3	Loss of statutory rights	250.00
4	Wages and Expenses	89.01
5	Holiday Pay (gross)	48.08
6	GRAND TOTAL	17,182.29

To the Second Claimant (Williamson)		£
1	Owed wages (net)	4,182.32
2	Expenses	343.45
3	Holiday Pay (gross)	1095.00
4	GRAND TOTAL	5,620.77

To the Third Claimant (Hughes)		£
1	Owed wages (net)	287.00
2	Expenses	40.00
3	Holiday Pay (gross)	1561.51
4	GRAND TOTAL	1,888.51

Employment Judge Smail
Date: 8 March 2023

Judgment sent to the Parties: 21 March 2023

FOR THE TRIBUNAL OFFICE