



EMPLOYMENT TRIBUNALS

Claimant: Mr R Korzeniewski

Respondent: Liberty Trading GB Ltd

HELD at Sheffield in person

ON: 24 April 2023

BEFORE: Employment Judge Brain

REPRESENTATION:

Claimant: In person assisted by Mr A Korzeniewski (son)

Respondent: No attendance or representation – appearance not entered

JUDGMENT

The Judgment of the Employment Tribunal is that:

1. **Claim for a redundancy payment under Part XI of the Employment Rights Act 1996:**
 - (a) The respondent dismissed the claimant by reason of redundancy;
 - (b) The respondent shall pay to the claimant a redundancy payment in the sum of **£1713**.
2. **Unauthorised deduction from wages claims pursuant to Part II of the Employment Rights Act 1996:**
 - (a) The claims were presented outside the time limit in section 23 of the 1996 Act in circumstances in which it was not reasonably practicable for the claimant so to do. The claim was presented within a reasonable time. Accordingly, time for presentation of the claim is extended to 16 December 2022.
 - (b) The respondent made an unauthorised deduction from the claimant's wages by failing to pay to him wages earned between 1 and 10 June 2022 inclusive. The respondent shall pay to the claimant the sum of **£900** being the gross amount of the unauthorised deduction.
 - (c) The respondent made an unauthorised deduction from the claimant's wages in failing to pay to him wages due for the notice period between 11 June and

24 June 2022. The respondent shall pay to the claimant the sum of **£1184.86** being the gross amount of the unauthorised deduction.

3. **Claim for compensation for unpaid holiday pay brought pursuant to the Working Time Regulations 1998**
 - (a) The claims were presented outside the time limit in in circumstances in regulation 30 of the 1998 Regulations in circumstances in which it was not reasonably practicable for the claimant so to do. The claim was presented within a reasonable time. Accordingly, time for presentation of the claim is extended to 16 December 2022.
 - (b) The respondent shall pay to the claimant the sum of **£1743.75** as compensation for holidays accrued but untaken as at the date of termination of the contract of employment.
4. The respondent shall pay the amounts awarded in paragraphs 1, 2 and 3 above in the cumulative sum of **£5541.61**. Payment shall be made on or before **9 May 2023**

25 April 2023

Employment Judge Brain

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.

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