



THE EMPLOYMENT TRIBUNALS

Claimants: Mr M Wigglesworth (1)
Mr JL Tarpey (2)
Mrs Z Byrom (3)
Mr D Sayers (4)

Respondent: Fast-Track Housing Limited

Heard at: Newcastle Hearing Centre (by CVP) **On:** 24 May 2023

Before: Employment Judge Morris (sitting alone)

Representation:

Claimants: Each in person

Respondent: No representation – no response having been presented

JUDGMENT

The Judgment of the Employment Tribunal is as follows:

Mr M Wigglesworth

1. The claimant's complaint under section 23 of the Employment Rights Act 1996 that the respondent made an unauthorised deduction from his wages contrary to section 13 of that Act (in that it did not pay him the wages that were due to him in respect of his employment during the period commencing 1 December 2022 until the end of his employment) is well-founded.
2. In respect of that unauthorised deduction the respondent is ordered to pay to the claimant the sum of £8,331.31.
3. In accordance with section 163 of the Employment Rights Act 1996 the claimant is entitled to receive a redundancy payment and, in that respect, the respondent is ordered to pay to the claimant the sum of £1,713.
4. The claimant's claim that he is entitled to an award of compensation in respect of his entitlement to paid holiday that had accrued but not been taken by him at the

termination of his employment is well-founded. In that respect the respondent is ordered to pay to the claimant compensation of £300.

5. The claimant's claim in respect of the respondent not having paid to the pension provider (National Employment Savings Trust) sums due from him as employee's pension contributions and not having paid to that provider the sums due from the respondent as employer's pension contributions are dismissed following withdrawal by the claimant.

Mr JL Tarpey

6. The claimant's complaint under section 23 of the Employment Rights Act 1996 that the respondent made an unauthorised deduction from his wages contrary to section 13 of that Act (in that it did not pay him the wages that were due to him in respect of his employment during the period commencing 1 December 2022 until the end of his employment) is well-founded.
7. In respect of that unauthorised deduction the respondent is ordered to pay to the claimant the sum of £1,264.87.
8. The claimant's contract claim that the respondent terminated his contract of employment without giving him the notice of that termination that was due to him or paying him in lieu of that notice is well-founded. In that respect the respondent is ordered to pay to the claimant compensation of £1,689.52.
9. In accordance with section 163 of the Employment Rights Act 1996 the claimant is entitled to receive a redundancy payment and, in that respect, the respondent is ordered to pay to the claimant the sum of £961.54.
10. The claimant's claim that he is entitled to an award of compensation in respect of his entitlement to paid holiday that had accrued but not been taken by him at the termination of his employment is well-founded. In that respect the respondent is ordered to pay to the claimant compensation of £336.52.
11. The claimant's claim in respect of the respondent not having paid to the pension provider (National Employment Savings Trust) sums due from him as employee's pension contributions and not having paid to that provider the sums due from the respondent as employer's pension contributions are dismissed following withdrawal by the claimant.

Mrs Z Byrom

12. The claimant's complaint under section 23 of the Employment Rights Act 1996 that the respondent made an unauthorised deduction from her wages contrary to section 13 of that Act (in that it did not pay her the wages that were due to her in respect of her employment during the period commencing 1 December 2022 until the end of her employment) is well-founded.

13. In respect of that unauthorised deduction the respondent is ordered to pay to the claimant the sum of £1,264.87.
14. The claimant's contract claim that the respondent terminated her contract of employment without giving her the notice of that termination that was due to her or paying her in lieu of that notice is well-founded. In that respect the respondent is ordered to pay to the claimant compensation of £1,689.52.
15. In accordance with section 163 of the Employment Rights Act 1996 the claimant is entitled to receive a redundancy payment and, in that respect, the respondent is ordered to pay to the claimant the sum of £961.54.
16. The claimant's claim that she is entitled to an award of compensation in respect of her entitlement to paid holiday that had accrued but not been taken by her at the termination of her employment is well-founded. In that respect the respondent is ordered to pay to the claimant compensation of £336.52.
17. The claimant's claim in respect of the respondent not having paid to the pension provider (National Employment Savings Trust) sums due from her as employee's pension contribution and not having paid to that provider the sums due from the respondent as employer's pension contributions are dismissed following withdrawal by the claimant.

Mr D Sayers

18. The claimant's complaint under section 23 of the Employment Rights Act 1996 that the respondent made an unauthorised deduction from his wages contrary to section 13 of that Act (in that it did not pay him the wages that were due to him in respect of his employment during the period commencing 1 December 2022 until the end of his employment) is well-founded.
19. In respect of that unauthorised deduction the respondent is ordered to pay to the claimant the sum of £12,500.00.
20. In accordance with section 163 of the Employment Rights Act 1996 the claimant is entitled to receive a redundancy payment and, in that respect, the respondent is ordered to pay to the claimant the sum of £1,713.
21. The claimant's claim that he is entitled to an award of compensation in respect of his entitlement to paid holiday that had accrued but not been taken by him at the termination of his employment is well-founded. In that respect the respondent is ordered to pay to the claimant compensation of £884.61.
22. The claimant's claim in respect of the respondent not having paid to the pension provider (National Employment Savings Trust) sums due from him as employee's pension contribution and not having paid to that provider the sums due from the respondent as employer's pension contributions are dismissed following withdrawal by the claimant.

All four claimants

23. The sums of money referred to in paragraphs 2, 4, 7, 10, 13, 16, 19 and 21 above have been calculated by reference to the gross pay of the particular claimant and any liability to tax or employee's national insurance contributions shall be the liability of that particular claimant alone. The sums of money referred to in paragraphs 8 and 14 above have been calculated by reference to the net pay of the particular claimant and any liability to tax or national insurance contributions shall be the liability of the respondent alone.

EMPLOYMENT JUDGE MORRIS

5 June 2023