



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr. J Napier

**Respondent:** County Windows (Heathfield) Limited

**Heard at:** London South

**On:** 12<sup>th</sup>, 13<sup>th</sup>, and 14<sup>th</sup> June 2023

**Before:** Employment Judge D Wright (Sitting Alone)

## **Representation**

Claimant: Mr. Matovu, Counsel

Respondent: Mr. Ratledge, Counsel

# JUDGMENT

1. The Claimant was a worker for the purpose of section 230(3)(b) Employment Rights Act 1996
2. The Respondent has unlawfully deducted wages in relation to commission and accrued but unpaid annual leave.
3. The Respondent is to pay the Claimant the sum of £26,074.34 in relation to accrued but unpaid annual leave within 28 days of the date of this order.
4. The Respondent is to pay the Claimant the sum of £5,244.65 in relation to the unpaid commission within 28 days of the date of this order.
5. The Respondent not being in possession of an invoice from the Claimant in relation to the unpaid commission, the Claimant is to provide a copy to the Respondent.

Employment Judge **D Wright**

Date 14 June 2023\_\_\_\_\_