



# THE EMPLOYMENT TRIBUNAL

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**Claimant**  
**Mr Alan Williams**

**v**

**Respondents**  
**All Merchant Solutions Ltd**  
**Positive Energy Ltd**

**Heard at:** London South Employment Tribunal by CVP

**On:** 18 July 2023

**Before:** Employment Judge Martin

## **Appearances**

**For the Claimant:** Ms Wahabi – legal representative

**For the Respondents:** No responses entered and no appearance

## **JUDGMENT**

Upon hearing the Claimant and reviewing the documentation submitted by him in support of his claim, and having checked the claim was correctly served, it is the judgment of the Employment Tribunal that the Respondents are jointly and severally liable for the following amounts.

- (i) It is the decision of the Tribunal that the Claimant's complaint, under 13 of the Employment Rights Act 1996 that the Respondent made unauthorised deductions from his wages is well-founded.
- (ii) The Respondents are ordered to pay to the Claimant £437.01, being the total of the unauthorised deductions in relation to unpaid wages.
- (iii) The Tribunal finds the Claimant is entitled to receive payment in respect of accrued holiday leave on termination of his employment pursuant to Regulation 14, The Working Time Regulations 1998.
- (iv) The Respondent is ordered to pay the Claimant £972.08 for unpaid accrued holiday pay
- (v) The Tribunal finds the Respondents are In breach of contract in that they failed to pay the Claimant four weeks pay, car allowance and commission.
  - The Respondent is ordered to pay the Claimant £1,748.04 for notice

pay

- £350 for car allowance
  - £15,000 for commission payments
- (vi) There is no award for uplift for failure to follow the ACAS code as it is not applicable to this type of claim.
- (vii) The total amount to be paid by the Respondents equally and severally is £15,350.

**EMPLOYMENT JUDGE MARTIN**  
**18 July 2023**