



EMPLOYMENT TRIBUNALS

Claimants: Mr. M.Lupyna (1)
Mr V. Lupyna (2)

Respondent: Safe Strip UK Limited

Heard at: Newcastle Employment Tribunal

On: 10 and 11 August 2023

Before: Employment Judge T.R. Smith

Representation

Claimant: Ms Ismail (counsel)

Respondent: Mr P. Moore (representative)

JUDGMENT

The first claimant

1. The tribunal declares the first claimant's complaint of unlawful deduction from wages (non-payment of salary from 02 December 2022 until 13 January 2023) is well-founded and respondent is ordered to pay the second claimant the sum of £2880.

The second claimant

2.The tribunal declares the second claimant's complaint of unlawful deduction from wages (non-payment of a guarantee payment) is well-founded and the respondent is ordered to pay the second claimant the sum of £155.

3.The tribunal declares the second claimant's complaint of unlawful deduction from wages (non-payment of salary from 02 December 2022 until 21 December 2022) is well-founded and respondent is ordered to pay the second claimant the sum of £1768.00.

4.The second claimant's complaint of non-payment of holiday pay is not well-founded and is dismissed.

5.The second claimant 's complaint of unfair dismissal is well-founded.

6.The second claimant did not cause or contribute to his dismissal.

7.The respondent has established that in respect of unfair dismissal any award to the second claimant should be reduced by 75% on the principle set out in Polkey -v- AE Dayton Services Ltd 1988 ICR 142, the said reduction applicable from 27 January 2023.

Employment Judge **T.R.Smith**

Date 11 August 2023

JUDGMENT SENT TO THE PARTIES ON

Note

Written reasons will not be provided unless 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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Case numbers 2500401/2023, 2500427/2023 and 2500428/2023

tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.