



**IN THE EMPLOYMENT TRIBUNAL (SCOTLAND) AT EDINBURGH**

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**Judgment of the Employment Tribunal in Un defended Case No:  
4103304/2023 Heard at Edinburgh on the Cloud Based Video Platform on  
23<sup>rd</sup> August 2023 at 11 am**

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**Employment Judge J G d’Inverno**

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**Mr Danny Welsh**

**Claimant  
In Person**

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**Mr Chris Jackson  
trading as “The Complete Heating Co.”**

**Respondent  
Not appearing and not  
represented**

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**JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

The Judgment of the Tribunal is:-

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**(First)** That the claimant’s complaints of Unauthorised Deduction from Wages contrary to the provisions of section 13 of the Employment Rights Act 1996 succeed.

**(Second)** That the respondent shall make to the claimant a payment of £424.61, being a sum equivalent to the hourly shortfall of 76 pence,

between the hourly rate of £4.05, at which the claimant was paid, and the then applicable national minimum wage for persons under the age of 18 of £4.81 per hour, across the 558.7 hours worked by the claimant between 31<sup>st</sup> October 2022 and 29<sup>th</sup> January 2023 inclusive.

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**(Third)** That the respondent shall pay to the claimant the sum of £432.90 gross, being the amount equivalent to a deduction made (wages withheld) by the respondent for the 90 hours worked by the claimant between 30<sup>th</sup> January and 14<sup>th</sup> February 2023 inclusive, at the then applicable national minimum wage for persons under 18 of £4.81 per hour.

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**(Fourth)** That the respondent shall make payment to the claimant in the gross sum of £215, being a sum equivalent to the deduction made by the respondent in respect of the claimant's accrued proportionate but, as at the Effective Date of Termination of his Employment 14<sup>th</sup> February 2023, as yet untaken 7.1 days of paid annual leave entitlement at a daily gross rate of £30/day.

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**(Fifth)** The sums at paragraphs (First), (Second) and (Third) above to be paid, by the Respondent to the Claimant, without deduction of Employee's National Insurance Contribution or Income Tax and the Claimant to account to Her Majesty's Revenue and Customs for any Income Tax and or Employee's National Insurance Contributions due.

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**Employment Judge: J d'Inverno**  
**Date of Judgment: 23 August 2023**  
**Entered in register: 28 August 2023**  
**and copied to parties**

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35 **I confirm that this is my Judgment in the case of Welsh v Chris Jackson trading as "The Complete Heating Co." and that I have signed the Judgment by electronic signature.**