



EMPLOYMENT TRIBUNALS

Claimant: Mr S McAteer

Respondent: Unity Service Group Ltd

Heard at: Liverpool **On:** 31 August 2023

Before: Employment Judge Horne

Representatives

For the claimant: Ms L Halsall, counsel

For the respondent: did not appear, not represented, participation restricted under rule 21 of the Employment Tribunal Rules of Procedure 2013

JUDGMENT

1. The respondent made an unauthorised deduction from the claimant's wages for the months of January and February 2023, and is ordered to pay the claimant the net sum of £4,406.47.
2. The respondent made an unauthorised deduction from the claimant's wages for the period 1 March 2023 to 8 April 2023, and is ordered to pay the claimant the gross sum of £4,577.95.
3. The respondent made an unauthorised deduction from the claimant's holiday pay and is ordered to pay the claimant the gross sum of £917.78.
4. The respondent breached the claimant's contract by failing to give notice of termination and is ordered to pay damages in the gross sum of £821.66.
5. The respondent breached the claimant's contract by failing to pay the claimant's pension contributions into a pension fund and is ordered to pay damages in the sum of £2,422.44.
6. The total amount payable to the claimant under this judgment is **£13,146.30**

Employment Judge Horne

31 August 2023

SENT TO THE PARTIES ON

14 September 2023

FOR THE TRIBUNAL OFFICE

Notes:

1. The sums referred to in paragraphs 2, 3 and 4 are awarded gross. The respondent may be required to make deductions for tax and national insurance before paying these sums to the claimant. If the respondent pays the gross sum in full, the claimant is likely to have to declare the income to His Majesty's Revenue and Customs (HMRC) and pay tax and national insurance as required.
2. The sum referred to in paragraph 1 is awarded net to reflect the tribunal's finding that the respondent is not required to make any deductions for tax and national insurance, as the required sums have already been paid to HMRC.
3. Paragraphs 2 and 4 of the judgment were disputed decisions. Reasons for those decisions were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the date when this order is sent to the parties.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2406621/2023**

Mr S McAteer v Unity Service Group Ltd

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 14 September 2023

"the calculation day" is: 15 September 2023

"the stipulated rate of interest" is: **8%**

Mr P Guilfoyle
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/collections/employment-tribunal-forms

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.