



EMPLOYMENT TRIBUNALS

Claimant: Mr Demetriou Shamarkou
Respondent: Alpha Pro Removals Limited
Heard at: East London Hearing Centre (by Cloud Video Platform)
On: 18 October 2023
Before: Employment Judge Barrett

Representation

For the Claimant: Represented himself
For the Respondent: Did not attend and was not represented

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

No response has been presented to this claim and an Employment Judge has decided to issue the following judgment on the available material under rule 21:-

1. The Respondent has made unauthorised deductions from the Claimant's wages.
2. The Respondent has failed to pay the Claimant's holiday entitlement.
3. The Respondent has breached the Claimant's contract of employment by failing to pay him notice pay.
4. The Respondent has unfairly dismissed the Claimant in contravention of sections 94(1) and 104(1)(b) Employment Rights Act 1996.
5. The Respondent shall pay the Claimant the sum of £14,396.80, which comprises:
 - a. A compensatory award for automatic unfair dismissal of £10,020.00 for loss of earnings (which includes the Claimant's entitlement to notice pay) and £350 for loss of statutory rights;
 - b. Damages for unauthorised deduction from wages of £3,292.00.

- c. **Holiday pay of £734.80.**
- 6. **For recoupment purposes:**
 - a. **Monetary award: £14,396.80;**
 - b. **Prescribed element: £10,020.00;**
 - c. **Period of prescribed element: 3 March 2022 to the date on which the Claimant's loss of earnings ceased namely 20 September 2022;**
 - d. **Balance of the monetary award in excess of the prescribed element: £4,376.80.**

The effect of the Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 was discussed at the hearing and the parties' attention is drawn to the explanation contained in the Annex to this judgment.

**Employment Judge Barrett
Dated: 18 October 2023**