



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4105315/2023

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Held in Edinburgh on 16 November 2023

Employment Judge Sangster

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Mr D Duncan

**Claimant
In Person**

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Caledonian Manpower Limited

**Respondent
Not Present/represented**

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

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The judgment of the Tribunal (oral reasons having been given at the hearing, in accordance with rule 62(2) of the Employment Tribunal Rules of Procedure 2013) is as follows:

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1. The respondent did not pay the claimant his full holiday entitlement on the termination of his employment. The respondent is ordered to pay to the claimant the gross sum of **£211.33**, in respect of the sum underpaid to the claimant on the termination of his employment. The respondent shall be at liberty to deduct from the above sum, prior to making payment to the claimant, such amounts of Income Tax and Employee National Insurance Contributions (if any) as it may be required by law to deduct from a payment of earnings of that amount made to the claimant. If the respondent does so, duly remits such sums so deducted to HM Revenue and Customs and provides to the claimant written evidence of the fact and amount of such deductions and of the sums

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deducted having been remitted to HMRC, payment of the balance to the claimant shall satisfy the requirements of this judgment.

2. The respondent was in breach of contract by failing to pay employer and employee contributions to the respondent's pension provider in respect of the claimant. The respondent is ordered to pay to the claimant the sum of **£817.77**, as damages for breach of contract.
3. The claimant's complaint of wrongful dismissal does not succeed and is dismissed.

Employment Judge: M Sangster
Date of Judgment: 16 November 2023
Entered in register: 17 November 2023
and copied to parties