



EMPLOYMENT TRIBUNALS

Claimant: Mr J. Ironmonger

Respondent: Sargeant Heating and Gas

Heard at: Croydon ET by CVP

On: 19 October 2023

Before: EJ Rea

Representation

Claimant: In person

Respondent: Mr Luke Sargeant, director of respondent

JUDGMENT

The Tribunal's judgment is as follows:

Unfair dismissal

1. The complaint of constructive unfair dismissal is well-founded. The claimant was constructively unfairly dismissed.
2. The respondent shall pay the claimant the following sums:
 - 2.1 A basic award of £675
 - 2.2 A compensatory award of £3,413.61
- 3 The Employment Protection (Recoupment of Benefits) Regulations 1996 apply
 - 3.1 The total award for unfair dismissal is £4,088.61
 - 3.2 The prescribed element is £3,163.61
 - 3.3 The period of the prescribed element is 18 March 2023 until 19 October 2023.
 - 3.4 The difference between (3.1) and (3.2) is £925.

Unauthorised deductions from wages

- 4 The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period March 2023.
- 5 The respondent shall pay the claimant £225, which is the gross sum deducted.

The claimant is responsible for the payment of any tax or National Insurance.

Failure to provide a statement of written particulars

- 6 When the proceedings were begun the respondent was in breach of its duty to provide the claimant with a written statement of employment particulars. There are no exceptional circumstances that make an award of an amount equal to two weeks' gross pay unjust or inequitable. It is not just and equitable to make an award of an amount equal to four weeks' gross pay. In accordance with section 38 Employment Act 2002 the respondent shall therefore pay the claimant £900.

Employment Judge Rea

Date 19 October 2023