



EMPLOYMENT TRIBUNALS

Claimant: Mr M Kerrywood

Respondent: MHXB Ltd (In Creditors Voluntary Liquidation)

Heard at: Hull (by Video)

On: 2 January 2024

Before: Employment Judge Miller

Representation

Claimant: In person

Respondent: No attendance

JUDGMENT

1. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages on 31 August 2022.
2. The respondent shall pay the claimant **£2054.53**, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.
3. The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.
4. The respondent shall pay the claimant **£1534.62**. The claimant is responsible for paying any tax or National Insurance.
5. The complaint of breach of contract in relation to notice pay is well-founded.
6. The respondent shall pay the claimant **£1666.67** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.

7. The claim was not presented within the applicable time limit, but it was not reasonably practicable to do so. The claim was presented within a further reasonable period.

Employment Judge **Miller**

Date 2 January 2024

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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