EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4100172/2024

Mr RJ Paterson   **Claimant**

VF Electrical Services Limited   **Respondents**

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 having unlawfully withheld the claimant's wages is ordered to pay the claimant the gross sum of Six Hundred and Fifty Two Pounds and Forty Seven Pence (£652.47) (Calculated on the basis of 39hrs x£16.73 p/h)

2   The respondent having failed to pay the claimant's holiday entitlement is ordered to pay the claimant the sum of Five Hundred and Eighty Seven Pounds and Twenty Two Pence (£587.22)(Calculated on the basis of 7.8hrs per day x4.5 days x £16.73 p/h).

3   The respondent failed to comply with their duty to provide the claimant with a statement of initial employment particulars and shall pay to the claimant the sum of One thousand two hundred and eighty six pounds (£1286) being two

weeks pay in terms of s38 of the Employment Act 2002. (The tribunal has no information before it which would suggest that in the circumstances it is just and equitable to award the higher amount provided for in s38.)

4. The hearing scheduled for 26 March 2024 at 11.00am is cancelled

5. The respondent shall be at liberty to deduct from the above sums 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, and if it 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 deducted having been remitted to HMRC, payment of the balance to the claimant shall satisfy the requirements of this judgment.

Employment Judge: **I McFatridge**
Date of Judgment: **06 March 2024**
Entered in register: **06 March 2024**
and copied to parties