



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Kenny

**Respondent:** RAW Superdrink Limited

**UPON** a reconsideration of the judgment dated 8 March 2024 and sent to the parties on 21 March 2024; on the Tribunal's own initiative under rule 73 of the Employment Tribunals Rules of Procedure 2013, and without a hearing,

## JUDGMENT

A. Breach of Contract (wrongful dismissal)

The respondent breached the claimant's contract of employment by failing to provide the claimant with notice of termination of employment. The claimant is entitled to compensation of: **£1693.55 Gross**

B. A claim for unauthorised deductions from wages (in breach of section 13 Employment Rights Act 1996)

Unauthorised deductions were made from the claimant's wages over the period June to August 2023. The amounts are based on a gross monthly pay of £7850:

June 2023 (50% of pay deducted) = £3925 Gross

July 2023 (100% unpaid) = £7850 Gross

August 2023 (100% unpaid) = £7850 Gross

**Total £19,625 Gross**

C. Accrued unpaid holidays (a further unauthorised deduction of wages)

As at the date of termination of employment, the claimant had not taken 12 days of accrued holiday. Based on a daily gross salary of £346.15, this amounts to unpaid wages of Total **£4153.85 Gross**

D. Total gross amounts due (amounts at A plus B plus C)

£1693.55 plus £19,625 plus £4153.85

**£25,472.40 (gross).**

The Hearing listed on 28 April 2024 is cancelled.

Employment Judge Leach

8 April 2024

JUDGMENT SENT TO THE PARTIES ON

25 April 2024

FOR THE TRIBUNAL OFFICE



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2410919/2023**

Name of case: **Mr S Kenny** v **RAW Superdrink Ltd**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day, the calculation day, and the stipulated rate of interest** in your case. They are as follows:

**the relevant decision day** in this case is: 25 April 2024

**the calculation day** in this case is: 26 April 2024

**the stipulated rate of interest** is: **8% per annum.**

For the Employment Tribunal Office