



# THE EMPLOYMENT TRIBUNAL

**Claimant:** Mr H Torres

**Respondent :** TDH LTD t/a Sun Studio.London

**Held at:** Croydon (By video)      **On:** 14 December 2023

**Before:** Employment Judge Siddall

**Representation:**

**For the Claimant:** In person

**For the Respondent:** Mr D Tumanyan

## CORRECTED JUDGMENT

The judgment of the Tribunal is as follows:

1. The correct title of the Respondent is TDH LTD trading as Sun Studio.London.
2. The complaint of unauthorised deductions from wages is well-founded. The Respondent made an unauthorised deduction from the Claimant's wages in the period **1 January to 31 March 2023**.
3. The Respondent shall pay the Claimant **£4737.87**, which is the net sum deducted (3 months x net monthly pay of £1579.29). The Respondent is responsible for the payment of any tax or National Insurance on this amount.
4. 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.
5. The Respondent shall pay the Claimant **£240.57 net** representing 3.3 days accrued holiday at a daily rate of pay of £72.90 (£18,951.48 net annual salary divided by 260). The Respondent is responsible for paying any tax or National Insurance. **(Please note that this is a net figure and so it differs from the figure given orally at the hearing).**
6. The complaint of breach of contract in relation to four weeks' notice pay is not well founded and it does not succeed.

7. The complaint of breach of contract in relation to fuel expenses is well-founded and it succeeds.
8. The Respondent shall pay the Claimant a total sum of £1211.82 in relation to his fuel costs.
9. The total sum awarded to the Claimant is **£6190.26**.

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Employment Judge Siddall  
Date: 14 December 2023  
Corrected Date: 9 May 2024