



EMPLOYMENT TRIBUNALS

Claimant: Mr S Mohammed

Respondent: Miracle Centre Limited

Heard at: Newcastle CFCTC by CVP **On:** 19 June 2024

Before: Employment Judge Arullendran

Representation:

Claimant: In person

Respondents: No attendance

JUDGMENT

The Judgment of the Employment Tribunal is as follows:

1. The complaint of unfair dismissal is dismissed upon withdrawal.
2. The complaint of entitlement to receive a redundancy payment is dismissed upon withdrawal.
3. The complaint of unauthorised deduction from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period 1 November 2023 to 7 November 2023.
4. The respondent shall pay the claimant £768, which is the gross sum deducted. The claimant is responsible for the payment of 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 £468 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 complaint in respect of holiday pay is well-founded. The respondent failed to pay the claimant in accordance with Regulations 14(2) and 16(1) of the Working Time Regulations 1998.
8. The respondent shall pay the claimant £187.20 in respect of holiday pay. The claimant is responsible for paying any tax or national insurance.

9. Total award = **£1423.20**

Employment Judge Arullendran

Date: 19 June 2024

Note: Reasons for the judgment having been given orally at the hearing and no request for written reasons having been made at the hearing, written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

Note: This has been a remote hearing which has not objected to by the parties. The form of remote hearing was video. A face to face hearing was not held because it was not practicable and all issues could be determined in a remote hearing.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>