



EMPLOYMENT TRIBUNALS

Claimant: Mr R Gamble

Respondent: Instant Business Communications Limited

Heard at: Cardiff **On:** 23 July 2024

Before: Employment Judge S Jenkins

Representation

Claimant: Mr N Toms (Counsel)

Respondent: No appearance or representation

JUDGMENT

1. The Claimant was constructively unfairly dismissed by the Respondent, and the Respondent is ordered to pay the Claimant a basic award of £1,929.00 and a compensatory award of £13,364.45 in respect of that.
2. The Claimant was dismissed in breach of contract in respect of notice, and the Respondent must pay damages to the Claimant of £25,000.00 gross.
3. The Respondent made unauthorised deductions from the Claimant's wages and must pay the Claimant such sum on a gross basis as will leave the Claimant with the net sum of £9,242.14.
4. The Respondent failed to pay the Claimant's holiday entitlement and must pay the Claimant the gross sum of £3,461.49.
5. The Respondent failed to provide the Claimant with itemised pay statements, and the Respondent is ordered to pay the Claimant the sum of £8,031.14 in respect of unnotified deductions from the Claimant's pay.
6. The Respondent must therefore pay the Claimant £61,028.22 in total, increased by reference to the grossing up required at paragraph 3 above.

Employment Judge S Jenkins
Date: 23 July 2024

JUDGMENT SENT TO THE PARTIES ON 24 July 2024

FOR THE TRIBUNAL OFFICE Mr N Roche

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.

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/>