



EMPLOYMENT TRIBUNALS

Claimant: Mr Elson-Knight

Respondents: JW Distillers Limited

Heard at: Bristol (by CVP)

On: 12 April 2024

Before: Employment Judge Murdoch

Representation

Claimant: In person

Respondent: Did not attend

JUDGMENT

1. The complaint of unauthorised deductions from pay contrary to Part II Employment Rights Act 1996 in respect of commission during the period 9 September 2022 to 10 May 2023 is well-founded. The respondent is ordered to pay to the claimant the gross sum of **£2428.96** (calculated as £101,206.49 net sales of events and meals during relevant period, minus VAT which left £80,965.19, and then 3% commission of that figure).
2. The complaint of breach of contract in relation to notice pay for the period 11 May 2023 to 10 June 2023 is well-founded. The respondent is ordered to pay to the claimant the gross sum of **£4166.67** (calculated as basic monthly wage of annual salary of £50,000, excluding commission).
3. The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's pay by failing to pay accrued but untaken holiday pay in the current leave year from the 1 April 2023 (beginning of the leave year) until 10 May 2023 (date of resignation) and is ordered to pay the claimant the gross sum of **£575** (calculated as three days holiday pay at £192 per day).

Employment Judge Murdoch

Date 12 April 2024

JUDGMENT SENT TO THE PARTIES ON
28th August 2024

FOR THE TRIBUNAL OFFICE

Note

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.