



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 8001260/2024

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Held in Glasgow via Cloud Video Platform (CVP) on 30 October 2024

Employment Judge D Hoey

10 Mr K Mitchell

Claimant
In Person

15 Morgan Woods Ltd

Respondent
Not present and
Not represented

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The judgment of the Employment Tribunal is that the claimant`s complaint of a failure of the respondent to pay wages due to the claimant succeeds and it is declared that the respondent made an unlawful deduction from wages due to the claimant and the respondent shall pay to the claimant the gross sum of **TWO THOUSAND FOUR HUNDRED POUNDS (£2,400)** in respect of unpaid wages and the sum of **ONE HUNDRED AND THIRTEEN POUNDS AND NINETY SEVEN PENCE (£113.97)** in respect of one day`s accrued but unpaid holiday pay. The total sum due to the claimant is **TWO THOUSAND FIVE HUNDRED AND THIRTEEN POUNDS AND NINETY SEVEN PENCE (£2513.97)**. The respondent is at liberty to deduct such sums as required by law prior to payment.

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REASONS

1. In his claim form the claimant said he had been due wages and notice pay together with outstanding holidays. The respondent had not disputed that sums were due and outstanding but said they could not afford to make payment.

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2. The claimant is due to be paid 3 week's wages which is outstanding as at the date of his employment ending. He earned £3,466.67 a month gross which is £800 gross per week (£113.97 a day gross). The net sums are £2,702.77 a month which is £623.72 per week and £88.86 a day.
- 5 3. The respondent failed to pay the claimant 3 week's salary due to him in terms of his contract of employment. That amounted to an unlawful deduction of wages. He is entitled to be paid £2400 gross, less such deductions required by law.
- 10 4. As at the date of termination, the claimant had accrued 1 day's holiday in respect of which payment had not been made. The respondent shall therefore pay to the claimant £113.97 gross, less such deductions required by law, being the claimant's accrued holiday entitlement due upon termination of employment.
- 15 5. The total sum due to the claimant is therefore £2513.97 gross, subject to deduction of such sums required by law.

D Hoey

Employment Judge

30 October 2024

Date

31 October 2024

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25 **Date sent to parties**