



EMPLOYMENT TRIBUNALS

Claimant: Mr N Ale

Respondents: (1) **Bacerius Investments Ltd**
(2) **Delesius Investments Ltd**
together as Trustees of Sutton Place Property Unit Trust

Heard at: Reading (by Cloud Video Platform) **On:** 29 January 2025

Before: Employment Judge T Brown

Appearances

For the claimant: In person

For the respondents: Not represented (having entered no response, and having been given notice of the hearing)

JUDGMENT

1. The name of the respondent(s) is amended from Sutton Place property Unit Trust to Bacerius Investments Ltd and Delesius Investments Ltd, together as Trustees of Sutton Place Property Unit Trust.
2. The Employment Tribunals have jurisdiction to consider the claimant's reference in respect of a redundancy payment, and his complaints of unauthorised deduction from wages, unpaid holiday pay on termination of employment and breach of contract in respect of failure to pay notice pay because it was not reasonably practicable for him to present the complaints within three months of the relevant date but he presented them within a reasonable further period, and the reference in respect of a redundancy payment was presented in time.
3. The claimant is entitled to a redundancy payment in the sum of £ 10,864.88.
4. The claimant is entitled to compensation in respect of entitlement to annual leave which had accrued and not been taken on termination of employment. The respondent shall pay to the claimant the sum of £1,111.32, gross of tax and National Insurance in respect of holiday pay, subject to any deductions in respect of tax and National Insurance with the respondents are required to make by law.

5. The complaint of unauthorised deduction from wages succeeds. The respondent shall pay to the claimant £11,248.40 gross of tax and national insurance which is calculated as the sum of:
 - a. Unpaid wages for March, April May and June 2022 of £2,414.42 per month, gross (totalling £9,657.68);
 - b. Overtime payments in the sum of £1,590.72;subject to any deductions in respect of tax and National Insurance with the respondents are required to make by law
6. The claim for breach of contract in respect of 43 days' unpaid notice pay succeeds (the claimant having been given notice on 20 May 2022, to expire on 30 June 2022, in breach of his contractual entitlement to 12 weeks' notice). The respondent shall pay to the claimant the sum of £3,422.64, which is calculated gross, subject to any deductions in respect of tax and National Insurance with the respondents are required to make by law.
7. The total award is therefore **£26,647.24**, some of which (as set out above) may be subject to tax and National Insurance as required by law.

Employment Judge T Brown

29 January 2025

Sent to the parties on:

25 February 2025

For the Tribunal:

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Reasons for the Employment Tribunal's decision having been given orally on 29 January 2025, 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 a party within 14 days of the sending of this written record of the decision.