



EMPLOYMENT TRIBUNALS

Claimant: Christopher Stallebrass

Respondents: (1) CrossAcre Tippers Limited
(2) Paxtonsgarage Limited

Heard at: Watford (by CVP)

On: 1 April 2025

Before: Employment Judge Murdoch

Representation

Claimant: Mr Clarke, counsel

First respondent: Did not attend

Second respondent: Did not attend

JUDGMENT

1. The complaint of unfair dismissal against the second respondent, under Part X Employment Rights Act 1996, is well-founded. The claimant was unfairly dismissed by the second respondent. The second respondent is ordered to pay the claimant the following:
 - (a) A basic award in the sum of **£11,886** (gross weekly pay of £566 x 21 multiplier); and
 - (b) A compensatory award in the sum of **£544** (£500 for loss of statutory rights, and £44 for loss of earnings (i.e. two weeks unpaid pension contributions)).
2. The complaint of unauthorised deductions from pay against the second respondent, contrary to Part II Employment Rights Act 1996, in respect of two weeks wages from 17-21 October 2022 and 24-28 October 2022 is well-founded. The second respondent is ordered to pay to the claimant the gross sum of **£1,132** (which is the claimant's weekly gross wage of £566 multiplied by 2 weeks).
3. The complaint of unauthorised deductions from pay against the second respondent, contrary to Part II Employment Rights Act 1996, in respect of failure to make pension contributions from 8 June 2022 until 4 November 2022 is well-founded. The second respondent is ordered to pay the claimant the gross sum of **£469** (which is the claimant's claimed amount of £22 a week multiplied by 21.3 weeks).

4. The complaint of breach of contract against the second respondent in relation to 12 week's statutory notice pay is well-founded. The second respondent is ordered to pay to the claimant the gross sum of **£5,792** (which is the claimant's gross weekly wage of £566 multiplied by 12 weeks minus the £1,000 already paid).
5. The complaint in respect of holiday accrued but unpaid on termination against the second respondent, contrary to the Working Time Regulations 1998, is well-founded. The respondent made an unauthorised deduction from the claimant's pay by failing to pay 4.6 days of holiday pay and is ordered to pay the claimant the gross sum of **£520** (which is the claimant's gross day rate figure of £113 multiplied by 4.6 days).
6. The second respondent is therefore ordered to pay the claimant the gross sum of **£20,343**.
7. The recoupment regulations do not apply as the claimant has not received any State benefits.
8. All claims against the first respondent are dismissed. As Employment Judge Price stated in the case management order dated 22 January 2025, the first respondent has been dissolved, and therefore, it is not a legal entity.

Approved by:

Employment Judge Murdoch

Date 1 April 2025

JUDGMENT SENT TO THE PARTIES ON

8 May 2025

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.