



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Brian Bowie

**Respondents:** RSK Transport Limited (R1), HSS Transport Midland Limited (R2) and JSH Transport Limited (R3)

**Heard at:** Midlands West Employment Tribunal (by CVP)

**On:** 2 July 2025

**Before:** Employment Judge A Close

## REPRESENTATION:

**Claimant:** In person

**First Respondent:** Mr Aimufua, Litigation Consultant

# JUDGMENT

The judgment of the Tribunal is as follows:

1. The claimant's employer was RSK Transport Limited, the first respondent. HSS Transport Midland Limited and JSH Transport Limited were not the claimant's employer and should not have been respondents to this claim. The claims against HSS Transport Midland Limited and JSH Transport Limited are dismissed.
2. The claimant's complaint of unauthorised deductions from pay contrary to Part II Employment Rights Act 1996 against the first respondent is well-founded. The first respondent made an unauthorised deduction from the claimant's pay in respect of the period 5/8/24 to 9/8/24. The first respondent is ordered to pay to the claimant the gross sum of £836.50 deducted from pay. This sum is expressed as a gross figure but on the understanding that it is taxable and that deductions will be made from it.

3. The claimant's complaint of breach of contract in relation to the failure to pay the claimant's nights out expenses incurred on 5, 6, 7 and 8 August 2024 against the first respondent is well-founded. The first respondent is ordered to pay the claimant the sum of £120.
4. The complaint in respect of holiday pay is well-founded. The first respondent made an unauthorised deduction from the claimant's pay by failing to pay holiday pay and is ordered to pay the claimant the gross sum of £1,146.64. This sum is expressed as a gross figure but on the understanding that it is taxable and that deductions will be made from it.

**Employment Judge A Close**

**2 July 2025**

Notes

1. 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.
2. Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.
3. 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/>