



EMPLOYMENT TRIBUNALS

Claimant: Mr A Small

Respondent: Downend Tax savers Ltd

Heard at: Bristol **On:** 11 July 2019

Before: Employment Judge Mulvaney

Representation

Claimant: In person

Respondent: Did not attend and was not represented

JUDGMENT

The claimant's claims of unfair dismissal and unlawful deductions from wages succeeded, there being no evidence provided by the respondent to refute them, and the claimant was awarded the total sum of £12,792.37. The breakdown of that sum is as follows:

Unfair Dismissal

Basic award	£2,076.93
Compensatory Award	
For period 16/8/18 – 16/12/18, claimant not fit for work	£ 0.00
For period 17/12/18 – 16/06/19: 6 months @ £1,606	£9,636.00
Pension	£ 240.00
Loss of statutory rights	£ 500.00

Unlawful deductions from wages

Wages due for period 1/4/17-30/4/18	£ 24.16
Wages due for period 1/5/18 – 16/8/18	£ 23.60
Wages due for 1.5 hours worked 1/5/18	£ 13.13
Accrued holiday for period 1/7/17 – 30/6/18 (no relevant agreement in place for carry forward)	£ 0.00
Accrued holiday pay for period 1/7/18 – 16/8/18	£ 197.01
Pension payments deducted but not paid to provider	£ 81.54

Grand Total £12,792.37

The Employment Protection (Recoupment of Benefits) Regulations 1996 apply to the compensatory award for loss of earnings during the prescribed period

Grand Total	£12,792.37
Prescribed element	£ 9,636
Period of prescribed element from 16/12/18 – 15/6/19	
Excess of grand total over the prescribed element	£ 3,156.37

Employment Judge Mulvaney

Date: 11th July 2019

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.