



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: S/4104951/2018**

**Employment Judge: Frances Eccles**

**Mr Lee Attenborough**

**Claimant**

**Envirokleen (Scotland) Ltd**

**Respondent**

## **JUDGMENT**

### **Rule 21 of the Employment Tribunal Rules of Procedure 2013**

The judgment of the Employment Tribunal is that the claimant's complaints of:-

- (a) Unauthorised deduction from wages.
- (b) Holiday Pay.
- (c) Failure to provide written statement and employment particulars.

succeed and the respondent shall pay to the claimant:

- (a) £769.60 (Seven Hundred and Sixty Nine Pounds and Sixty Pence) as wages deducted without authorisation.
- (b) £307.84 (Three Hundred and Seven pounds and Eighty Four Pence) as outstanding holiday pay.
- (c) £769.60 (Seven Hundred and Sixty Nine Pounds and Sixty Pence). (2 weeks x £384.80 for failure to provide written statement and employment particulars.

## **REASONS**

1. A copy of the claim form setting out the claimant's complaints was sent to the respondent on 4 June 2018.
2. In accordance with the terms of Rule 16 of the Rules to be found in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 the respondent was required to enter a response within twenty eight days of the date on which a copy of the claim was sent to it but failed to do so.
3. The Employment Judge decided that on the available material a determination could properly be made without a hearing as to the liability of the respondent for the claim.
4. On the basis of the available material the Employment Judge decided she could properly determine remedy as follows:-
  - (a) In respect of the claim for unauthorised deduction from wages, the respondent shall pay to the claimant the sum of Seven Hundred and Sixty Nine Pounds and Sixty pence (£769.60).
  - (b) In respect of the claimant's complaint of holiday pay the respondent shall pay to the claimant the sum of Three Hundred and Seven Pounds and Eighty Four Pence (£307.84).
  - (c) In respect of the claimant's claim for failure to provide a written statement and employment particulars, the respondent shall pay to the claimant the sum of Seven Hundred and Sixty Nine Pounds and Sixty Pence (£769.60).

Employment Judge: Frances Eccles  
Date of Judgement: 17 July 2018  
Entered in register: 17 July 2018  
And copied to parties

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