



EMPLOYMENT TRIBUNALS

Claimant: Mr C Thacker

Respondent: Chrisalis Worldwide Limited

Heard at: Liverpool, remotely by CVP

On: 19 October 2020

Before: Employment Judge Aspinall

REPRESENTATION:

Claimant: in person, supported by his wife Miss Daniels

Respondent: Mr Rudd, Counsel

JUDGMENT

The judgment of the Tribunal is that:

1. The claimant's claim for automatically unfair dismissal succeeds. He was dismissed for asserting his statutory right to annual leave.
2. The claimant's claim for breach of contract also succeeds but no separate damages for breach of contract are awarded the claimant having been given a week's notice.
3. The claimant's claim for holiday pay succeeds in the amount agreed between the parties at 0.25 of a day's pay which was agreed to be £ 28.32.
4. The claimant's claim for an unlawful deduction from wages succeeds on the basis that the deduction (failure to pay wages) was made on 25 October 2019 but was paid on the next working day of 28 October 2019 so no award is made.

Case numbers 2415099/2019 & 2401437/2020
Hearing by CVP

5. The respondent's counter claim related to the right to off-set £ 675 withheld by the claimant, succeeds. Following the remedy hearing which is listed for 8 December 2020 the claimant will either have this amount deducted from any award made or will have to repay the full amount or any balance owing to the respondent.
6. Case management orders were made to prepare for the remedy hearing.

Employment Judge Aspinall

Date: 19 October 2020

JUDGMENT SENT TO THE PARTIES ON

5 November 2020

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.