



EMPLOYMENT TRIBUNALS

Claimant: Dr G Porter

Respondent: FGS Services (UK) Limited

Heard: Remotely (by video link) **On:** 29 January 2021

Before: Employment Judge S Shore

Representation:

Claimant: Mr D Bunting, Counsel

Respondent: Ms J Ferrario, Counsel

JUDGMENT

1. The respondent's employer's contract claim is not well-founded and fails.
2. By consent, the claimant's claim of unauthorised deduction of wages (top up of furlough) is well founded and succeeds. The respondent shall pay the claimant £2,299.34 (gross, subject to deduction of income tax and national insurance).
3. By consent, the claimant's claim of breach of contract (non-payment of pension contributions) is well-founded and succeeds. The respondent shall pay the claimant £4,666.66 (gross, subject to deduction of income tax and national insurance).
4. The claimant's claims of breach of contract (wrongful dismissal/failure to pay notice pay and failure to pay three months' pay under a Trust and Confidence Agreement) are not well-founded and fail.
5. The claimant's claim of unauthorised deduction of wages (failure to pay holiday pay) is partially well-founded and succeeds in respect of two days' outstanding holiday pay, which was conceded by the respondent. The respondent shall pay the claimant £333.34 (gross, subject to deduction of income tax and national insurance).

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6. The total amount payable by the respondent to the claimant is **£7,299.34** (gross, subject to deduction of income tax and national insurance).
7. The correct name of the respondent is FGS Services (UK) Limited and the Tribunal's records shall be amended accordingly.

Note: This has been a remote hearing. The parties did not object to the case being heard remotely. The form of remote hearing was V - video. It was not practicable to hold a face to face hearing because of the Covid19 pandemic.

Employment Judge Shore

Date 29 January 2021