



# THE EMPLOYMENT TRIBUNALS

**Claimant**  
**Mr Thomas Ashby**

**Respondent**  
**Express Managed Services Ltd**

**AT NEWCASTLE**  
**EMPLOYMENT JUDGE GARNON**

**On 2 October 2020**

## **JUDGMENT (Liability and Remedy)**

### **Employment Tribunals Rules of Procedure 2013 –Rule 21**

1. The claim of unlawful deduction of wages is well founded. I order the respondent to repay to the claimant £ 1634.36
2. The claim for compensation for untaken annual leave is well founded. I order the respondent to pay compensation to the claimant of £ 557.70 gross of tax and National Insurance.
3. The Hearing listed for 29 October 2020 is vacated

## **REASONS**

1. The claim, presented on 31 August 2020, was served by post the registered office address of the respondent on 2 September A response was due by 30 September but none was received. An Employment Judge is required by Rule 21 of the Employment Tribunals Rules of Procedure 2013 to decide on the available material whether a determination can be made and, if so, obliged to issue a judgment which may determine liability and remedy.
2. I have sufficient to enable me to find the claims proved on balance of probability and determine sums to be awarded. The law relating to unlawful deduction of wages is in Part 2 of the Employment Rights Act 1996 and that relating to compensation for untaken annual leave is in The Working Time Regulations 1998.

**Employment Judge T.M. Garnon**  
**Judgment authorised by the Employment Judge on 2 October 2020**