



EMPLOYMENT TRIBUNALS

Claimant: Mr Alexander Nicholson
Respondent: D.L.M Pub Company Ltd

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

The claim was issued in the Midlands West Employment Tribunal on 13 November 2022. The respondent has failed to present a valid response on time and failed to make an application for an extension of time. The Employment Judge has decided that a determination can properly be made of the claim, or part of it, in accordance with rule 21 of the Rules of Procedure.

1. The claim for unfair dismissal is well founded and succeeds.
2. The claim for wrongful dismissal is well founded and succeeds.
3. The Tribunal declares that the respondent made unauthorised deductions from the claimant's wages.
4. The claim for unpaid holiday pay is well founded and succeeds.
5. The claim for failure to inform and consult under TUPE is not well founded and is dismissed.
6. The respondent shall make the following payments to the claimant within 28 days and shall be responsible for the payment of any applicable tax and national insurance:

Wrongful dismissal - £2,166.67 gross (one month's notice pay)

Unfair dismissal basic award - £1,500 gross

Unfair dismissal – compensatory award – £1,312 net (n.b.net of wrongful dismissal period and income earned from alternative employment)

In respect of unauthorised deductions - £1,000 gross. (Period from 31st May to 13th June).

Holiday pay - £3,370 gross. (33.7 days)

Loss of statutory rights - £1000

Total: £10,348.67

Employment Judge C Taylor

Date: 15 June 2023

Note

Written reasons will not be provided unless 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.