



EMPLOYMENT TRIBUNALS

Claimants: Mr M Hollis
Miss Z Pietrzak

Respondent: JSS Developments Ltd

HELD AT: Liverpool **ON:** 8 January 2018

BEFORE: Employment Judge S Shore

REPRESENTATION:

Claimants: In person
Respondent: Mr A Famutimi, Consultant

JUDGMENT

The judgment of the Tribunal is that:

1. The first claimant, Mr Hollis's, claim of unauthorised deduction of wages succeeds. The respondent will pay the first claimant ten hours' pay at £10.76 per hour = £107.60, and 81.5 hours at £5.83 per hour = £475.15, a total of £582.75 without deduction of tax or NI.
2. The first claimant's claim for holiday pay succeeds. The respondent will pay the first claimant 73.23 hours at £5.83 per hour = £421.10 and 252 hours at £5.83 = £1,469.16, a total of £1,890.26 without deduction of tax and NI.
3. Because of the respondent's failure to engage with any grievance procedure with the first claimant, the total award under paragraphs 1 and 2 above of £2,473.01 will be uplifted by 25%, a figure of £618.25, making a total of £3,091.26.
4. The respondent failed to provide the first claimant with a written statement of terms and conditions of employment and shall pay the first claimant four weeks' pay calculated as 40 hours per week at £6.00 per hour = £960.
5. The total payable by the respondent to the first claimant is £4,051.26.
6. The second claimant, Miss Pietrzak's, claim of unauthorised deduction of wages succeeds. The respondent will pay the second claimant 35 hours' at £6 per hour = £210 without deduction of tax and NI.

7. The second claimant's claim for unpaid holiday pay succeeds. The respondent will pay the second claimant £106 being the balance due to her of holiday pay owed.

8. The total of compensation awarded in respect of paragraphs 6 and 7 above is £316. This will be uplifted by 25% because of the respondent's failure to engage in a grievance process with the second claimant. That is a further £79, making a total of £395.

9. The respondent failed to provide the second claimant with a written statement of terms and conditions of employment. The respondent will pay the second claimant four weeks' pay of 15 hours at £6.00 per hour = £360.00.

10. The total payable by the respondent to the second claimant is £755.00.

Employment Judge S Shore

Date: 9 January 2018

JUDGMENT SENT TO THE PARTIES ON

15 January 2018

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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case numbers: 2405374/2017 & 2405398/2017

Name of cases: Mr M Hollis v JSS Development Ltd
Miss Z Pietrzak

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 15 January 2018

"the calculation day" is: 16 January 2018

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office