



EMPLOYMENT TRIBUNALS

Claimant: Mr P Baker

Respondent: 24 British Maintenance Ltd

HELD AT: Sheffield

ON: 18 February 2019

BEFORE: Employment Judge Brain

REPRESENTATION:

Claimant: Mr D Smith, Solicitor

Respondent: No attendance or representation

JUDGMENT

The Judgment of the Employment Tribunal is that:-

1. The respondent made an unlawful deduction from the claimant's wages and shall pay to the claimant the sum of £2,483.37 being the gross amount due.
2. The respondent was in breach of contract in failing to reimburse the claimant expenses incurred by him in the course of his employment. The respondent shall accordingly pay damages to the claimant in the sum of £372.85 being the amount due and owing.
3. By its conduct of the proceedings the claimant has acted unreasonably and has pursued a case (being an entitlement to make a deduction from the claimant's wages or pursue a breach of contract claim against him) with no reasonable prospect of success. The respondent shall pay to the claimant the sum of £1,080 by way of reimbursement of the legal costs incurred by the claimant in the pursuit of his claim together with an additional sum of £224.50 being expenses necessarily incurred by the claimant in attending the hearing today, those 1

4. expenses being a train fair in the sum of £64.50 and loss of earnings in the sum of £160.00.

5. The total sum of £4,160.72 shall be paid by the respondent to the claimant within 14 days of (but excluding) the day upon which this Judgment is sent to the parties as recorded below.

Employment Judge Brain
Date 7 March 2019

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/employmenttribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

