



EMPLOYMENT TRIBUNALS

Claimant: Mr J Ellis

Respondent: 4D Cleaning And Maintenance Ltd

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claimant was employed by the respondent company, operated by Mr Mark Miller.
2. The respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the net sum of £340.66.
3. The claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages to the claimant in the sum of £740.00 (£1,040.00 for 2 week's gross pay less £500 Universal Credit received) .
4. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the net sum of £408.88.
5. The hearing listed on **2 September 2019** is cancelled.

Damages for breach of contract have been assessed on the basis of the claimant's gross pay for the notice period. Once the respondent pays that amount to the claimant, HMRC is likely to require the claimant to pay tax and national insurance on it as "Post-Employment Notice Pay.

Regional Employment Judge Parkin

Date: 7 August 2019

JUDGMENT SENT TO THE PARTIES ON

11 August 2019

AND ENTERED IN THE REGISTER

.....
FOR THE TRIBUNAL OFFICE

NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2405233/2019**

Name of **Mr J Ellis** v **4D Cleaning And Maintenance Ltd**
case(s):

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: **11 August 2019**

"the calculation day" is: **12 August 2019**

"the stipulated rate of interest" is: **8%**

MRS L WHITE
For the Employment Tribunal Office

