



EMPLOYMENT TRIBUNALS

Claimant: Mr P King

Respondent: Porkys Food Limited

Heard at: Newcastle Employment Tribunal, remotely by Cloud Video Platform (“CVP”)

On: 25 May 2022

Before: Employment Judge Robertson

Representation

Claimant: In person

Respondent: No appearance or representation

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

The judgment of the Tribunal is that:

1. The Claimant’s claim of unlawful deduction from wages is well-founded and succeeds. The Respondent made unlawful deductions from the Claimant’s wages and is ordered to pay to the Claimant the gross sum of **£1,325.28** (that is, before any deductions for tax and national insurance as may be appropriate) calculated as follows:
 - a. **£344**, in respect of under-payments of his wages on 15 and 21 December 2021 and 5 January 2022;
 - b. **£130**, in respect of under-payment of his wages on 12 January 2022;
 - c. **£90**, in respect of the failure to pay him in respect of the day he worked on 2 January 2022, and
 - d. **£986.28** in respect of the failure to pay the Claimant in lieu of his accrued but untaken holiday entitlement on the termination of his employment.

The Respondent paid the sum of **£225** to the Claimant on or around Friday 4 February 2022 and the award has been reduced to reflect this payment.

2. The Respondent is ordered to pay to the Claimant additional compensation of **£1502.50** (being three weeks' pay) pursuant to section 38 Employment Act 2002 for failure to provide the Claimant with a written statement of employment particulars.
3. The total amount due to the Claimant is **£2827.78**.

Employment Judge Robertson

Date_ 15 June 2022

Notes

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