



EMPLOYMENT TRIBUNALS

Claimant: Mr K Machin

Respondent 1: Strive 4 Sports Limited

Respondent 2: Mr Luke Jenkinson

Heard at: Midlands East

On: 12 May 2022 and 28 June 2022

Before: Employment Judge R Broughton

Members: Mr Connor
Mr Purkis

Representation

Claimant: Mr Wilson - Counsel

First Respondent: No Attendance

Second Respondent: No Attendance

JUDGMENT

1. The claim of automatic unfair dismissal brought pursuant to section 103A and 104 (1) of the Employment Rights Act 1996 and 104A of the National Minimum Wage Act 1998 are all well founded and succeed. The **First and Second Respondent** are on a joint and several basis ordered to pay the claimant the sum by of compensatory losses of **£7,203.06 net**
2. The claims brought pursuant to section 43B Employments Rights Act 1996, and section 23 of the National Minimum Wage Act 1998 are both well founded and succeed. The **First and Second Respondent** are on a joint and several basis ordered to pay the claimant the sum of **£15,000 as an award for injury to feelings.**

3. The claim for unlawful deductions from wages brought pursuant to section 13 Employment Rights Act 1996 is well founded and succeeds and the **First Respondent** is ordered to pay the claimant the sum of **£3,582.26 gross**.
4. The claim brought pursuant to section 38 Employment Act 2002 is well founded and succeeds and the **First Respondent** is ordered to pay the claimant the sum of **£500.50**
5. The application for costs made pursuant to Rule 76 (1) (a) and/or (b) against the First Respondent is not well founded and is dismissed.
6. The application for costs made pursuant to Rule 76 (1) (a) and/or (b) against the Second Respondent is well founded and the **Second Respondent** is ordered to pay to the claimant costs of **£13,012 plus vat of £2,602.40..**

Employment Judge R Broughton

Date: 29 06 2022

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.

Reasons

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.