



EMPLOYMENT TRIBUNALS

Claimant: Mr D Marchel

Respondent: EMGS Recruitment Ltd.

Heard at: East London Hearing Centre (By Telephone)

On: 09 February 2023

Before: Employment Judge B Beyzade

Representation

For the Claimant: In person
For the Respondent: Not present and not represented

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The judgment of the tribunal is that:

- 1.1. the claimant's claim for unauthorised deductions from wages (holiday pay) in relation to the period between 23 May 2022 and 28 August 2022 succeeds and the respondent is ordered to pay to the claimant the sum of ONE HUNDRED AND FIFTY FOUR POUNDS AND SIXTY FOUR PENCE (£154.64) subject to any required deductions for tax and national insurance provided that the respondent remits any such amount to His Majesty's Revenue and Customs and accounts to the claimant for any such payment.
- 1.2. the claimant's claim for breach of Regulation 5 of the *Agency Workers' Regulations 2010* (difference in pay) in relation to the period between 22 August 2022 and 28 August 2022 succeeds and the respondent is ordered to pay to the claimant the sum of THIRTEEN POUNDS AND TWENTY PENCE (£13.20) subject to any required deductions for tax and national insurance provided that the

respondent remits any such amount to His Majesty's Revenue and Customs and accounts to the claimant for any such payment.

- 1.3. The claimant's application for a preparation time order pursuant to Rule 76 of Schedule 1 of the *Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013* succeeds and the respondent is ordered to pay to the claimant the sum of NINETY-NINE POUNDS (£99.00) in respect of his preparation time.

Employment Judge Beyzade

Dated: 09 February 2023