



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4105630/2024

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Held in Edinburgh by CVP on 4 November 2024

Employment Judge Sangster

10 Mr D Moffat

Claimant
In Person

15 Bonnyrigg Rose Charitable Society

Respondent
Ms E Cho
Litigation Consultant

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The judgment of the Tribunal is as follows:

1. The name of the respondent is amended to Bonnyrigg Rose Charitable
25 Society.
2. The claimant's complaint under section 23 of the Employment Rights Act
1996 (**ERA**) is successful. The respondent is ordered to pay to the claimant
the following gross sums, which were unlawfully deducted from the claimant's
wages, contrary to s13 ERA:
 - 30 a. **£602.00** in respect of hours worked and holidays taken in from 30 May
to 2 June 2024 inclusive; and
 - b. **£427.00** in respect of 30.5 hours' holiday, which was accrued but
untaken on termination of the claimant's employment.
3. The claimant was dismissed in breach of contract in respect of notice and the
35 respondent is ordered to pay damages to the claimant in the sum of **£477.43**.

4. The respondent shall be at liberty to deduct from the gross sums of which payment is ordered at paragraph 2 above, prior to making payment to the claimant, such amounts of Income Tax and Employee National Insurance Contributions (if any) as it may be required by law to deduct from a payment of earnings of that amount made to the claimant, and if it does so, duly remits such sums so deducted to HM Revenue and Customs, and provides to the claimant written evidence of the fact and amount of such deductions and of the sums deducted having been remitted to HMRC, payment of the balance to the claimant shall satisfy the requirements of this judgment.
- 10 Oral reasons were given at the hearing, in accordance with rule 62(2) of the Employment Tribunal Rules of Procedure 2013. Written reasons will not be provided, unless a written request for these is made by one of the parties within 14 days of the date this judgment is sent to the parties

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Employment Judge: M Sangster
Date of Judgment: 4 November 2024

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Date sent to parties

05 November 2024

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