



EMPLOYMENT TRIBUNALS

Claimant: Mr R Barnes

Respondent: G and J Steele Plant Hire Ltd

Heard at: Ashford Employment Tribunal

On: 2 June 2017

Before: Employment Judge Nash

Representation

Claimant: In person

Respondent: Mr G Steele, Director

JUDGMENT

The judgment of the tribunal is as follows:-

1. The Claimant was unfairly dismissed.
2. It is just and equitable to reduce both basic and compensatory awards by 25% to reflect the Claimants' contribution to his dismissal.
3. As compensation for unfair dismissal, the Respondent shall pay to the Claimant the sum of £5,116.63. This sum is made up of a basic award of £1,616.63, together with a compensatory award that was agreed as being £3,500.00. These sums are net of the 25% deduction.
4. The Claimant was wrongfully dismissed.
5. The Respondent shall pay to the Claimant the sum of £3,166.66 as compensation for breach of contract in respect of his wrongful dismissal.
6. The Respondent breached the Claimant's contract by failing to pay holiday pay.
7. Claimant is entitled to the sum of £1,900.00 as compensation for breach of contract in respect of holiday pay.
8. The Respondent made unauthorised deductions from the Claimant's wages contrary to section 13 Employment Rights Act 1996 in the sum of

£1,755.15, which sum has been calculated as net of statutory deductions in respect of tax and National Insurance.

9. The Respondent shall pay to the Claimant the sum of £1,270.00 as costs pursuant to regulation 76(4) of the 2013 Rules of Procedure.
10. Accordingly the total payable by the Respondent to the Claimant under this judgment is £13,208.44.

Employment Judge Nash
Date 4 June 2017

Note

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.