



THE EMPLOYMENT TRIBUNALS

Claimants

Mr S Ball

Mr E Dodd

Mr D Williams

Respondent

MGM Precision Engineers Ltd

EMPLOYMENT JUDGE GARNON

MADE AT NORTH SHIELDS

ON 13 March 2017

JUDGMENT (Liability and Remedy)

Employment Tribunals Rules of Procedure 2013 –Rules 21and 37

1 The claims of wrongful dismissal (breach of contract) are well founded . I award damages to be paid by the respondent to the claimant as follows

Mr S Ball	£ 585
Mr E Dodd	£ 643.50
Mr D Williams	£ 546

2. The claims of unlawful deduction of wages are well founded. I order the respondent to repay to the claimants the following sums

Mr S Ball	£ 351
Mr E Dodd	£ 386.10
Mr D Williams	£ 327.60

3 The claims for compensation for untaken annual leave are well founded. I order the respondent to pay compensation to the claimants of the following sums

Mr S Ball	£ 585
Mr E Dodd	£ 643.50
Mr D Williams	£ 546

All listed Hearings are cancelled

REASONS

1. The claims were presented on 13th January 2017 and served on 10th February . Responses were due by 10th March 2017 but none were received I am required by Rule 21 of the Employment Tribunals Rules of Procedure 2013 to decide on the

Case Numbers 2500196/17 , 2500204/17 and 2500206/17

available material whether a determination can be made and , if so, obliged to issue a judgment which may determine liability and remedy.

2. I have in the claim form sufficient information to enable me to find the claims proved on a balance of probability and to determine the accuracy of the sums claimed.

3. The law relating to unlawful deduction of wages is in Part 2 of the Employment Rights Act 1996 (the Act).

4. The common law provides a contract of employment may be brought to an end by reasonable notice. Dismissal without such notice is termed "wrongful". Damages for wrongful dismissal are the pay due during the notice period (see Addis v The Gramophone Company)

5. The Working Time Regulations 1998 say in Regulation 14 that where a worker's employment is terminated during the course of his leave year, and on the date on which the termination takes effect the proportion he has taken of the leave to which he is entitled in the leave year under regulation 13(1) differs from the proportion of the leave year which has expired. his employer shall make him a payment in lieu of untaken leave calculated by a formula which the claimant's representative has correctly applied .

TM Garnon Employment Judge

Date signed 13th March 2017

SENT TO THE PARTIES ON

21 March 2017

**G Palmer
FOR THE TRIBUNAL OFFICE**