



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Akbar

**Respondent:** Coach Travel Solutions Ltd t/a CTS Coaches

**HELD AT:** Manchester

**ON:** 27 July 2018

**BEFORE:** Regional Employment Judge Parkin  
(sitting alone)

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Mr B Ford, Transport Manager

## JUDGMENT

The judgment of the Tribunal is that:

- 1) the respondent's full name is Coach Travel Solutions Ltd t/a CTS Coaches;  
and
- 2) the respondent made unlawful deductions from the wages of the claimant and is ordered to pay the claimant the sum of £835.00 gross.

## REASONS

1. By a claim accepted on 10 May 2018, the claimant claimed unlawful deduction from wages in the sum of £835 in respect of pay owed to him on the termination of his employment as a coach driver on 13 April 2018.
2. A response was presented to the claim by the respondent, in the name Coach Travel Solutions, defending the claim because the claimant by causing 2 accidents had cost it £650 and £950 in vehicle repairs and consequential loss. However, the respondent did not rely upon any consent from the claimant in writing to deducting or offsetting these costs or to any provision of the contract of employment evidenced in writing to support the deduction.

3. The respondent's application to postpone the hearing for absence of its representative and company director was refused because no substantial defence had been put forward. At the hearing, its representative could not point to any written consent or written provision of the contract to justify the deductions or challenge the claimant's quantification. The full name of the respondent was confirmed as Coach Travel Solutions Ltd t/a CTS Coaches.
4. In all the circumstances, applying sections 13 and 23 to 24 of the Employment Rights Act 1996, the claimant's claim is well-founded. The respondent made unlawful deductions from the claimant's wages and is ordered to pay him £835.00 gross.

Regional Employment Judge Parkin

Date: 27 July 2018

JUDGMENT AND REASONS SENT TO THE PARTIES ON  
1 August 2018

FOR THE TRIBUNAL OFFICE

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2410147/2018

Name of case(s): Mr M Akbar v Coach Travel Solutions Ltd  
T/a CTS Coaches

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 1 August 2018

"the calculation day" is: **2 August 2018**

"the stipulated rate of interest" is: 8%

MISS L HUNTER  
For the Employment Tribunal Office

## INTEREST ON TRIBUNAL AWARDS

### ***GUIDANCE NOTE***

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at [www.justice.gov.uk/tribunals/employment/claims/booklets](http://www.justice.gov.uk/tribunals/employment/claims/booklets)

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.