



EMPLOYMENT TRIBUNALS

Claimant Mr A Kerridge

Respondent Miss Jane Blenkins

Heard at: Exeter

On: 8 August 2019

Before:
Employment Judge Goraj

Representation

Claimant: in person

The Respondent: did not attend

JUDGMENT

The JUDGMENT of the tribunal is that: -

1. The Claimant was an employee of the Respondent between 1 September 2018 and 26 February 2019.
2. The Respondent has made a series of unlawful deductions from the Claimant's pay between October 2018 and February 2019 in the total sum of £5,500 gross (as set out in the Schedule below) in breach of section 13 of the Employment Rights Act 1996 ("the Act").
3. The Claimant is awarded a further sum of £60 (as set out in the Schedule below) pursuant to section 24 (2) of the Act in respect of financial loss sustained by him by reason of the above mentioned unlawful deduction.
4. The Claimant is therefore awarded and the Respondent is ordered to pay to the Claimant the total sum of £5,560 in respect of the above mentioned unlawful deductions.
3. The Claimant's contract of employment was terminated without notice in breach of contract however the Claimant is not entitled to any damages in

respect of such breach because the Claimant did not seek alternative employment during his notice period.

4. The Claimant is awarded and the Respondent is ordered to pay to him a further sum of £800 (as set out in the Schedule below) pursuant to section 38 of the Employment Act 2002 in respect of the failure by the Respondent to issue the Claimant with a statement of terms and conditions of employment as required pursuant to section 1 of the Act

5. The Claimant is therefore awarded and the Respondent is ordered to pay the Claimant the total sum of £6,360 gross (£5,500 + £60 + £800).

The Schedule

1. Unlawful deductions between October 2018 and February 2019 – (1) October 2018 - £600 (£1,000 received from the Respondent) (2) November 2018 - £600 (£1,000 received from the Respondent) (3) December 2018 - £1,600 (4) January 2019 - £1,600 (5) February 2019 - £1,100 (£500 received from the Respondent) = £5,500.
2. Consequential losses of £60 in respect of annual interest of 1 % on loan from parents of £6,000.
3. Award of 2 week's gross pay - $2 \times £400 = £800$ pursuant to section 38 of the Employment Act 2002

Employment Judge Goraj
Date: 13 August 2019