



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr C Stevenson

**Respondent:** Wicker Tyres (UTE) Ltd

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

The claim was issued in the Leeds Employment Tribunals on 02 February 2024. The respondent has failed to present a valid response on time by 8 May 2024. The Employment Judge has decided that a determination can properly be made of the claim, or part of it, in accordance with rule 21 of the Rules of Procedure.

1. The respondent has made unauthorised deductions from the claimant's wages in respect of company sick pay and must pay the claimant the gross amount of **£1756.44**.
2. The respondent has failed to pay the claimant's holiday entitlement and must pay the claimant the gross amount of **£2057.54**.
3. I exercise my discretion to uplift the claimant's award by two weeks' pay because although the respondent failed to provide a written statement of terms and conditions to claimant as required by Section 38 of the Employment Act 2002, the claimant had access to his terms and conditions on the respondent's system and an award of four weeks' pay is not in the interests of justice in those circumstances. The respondent shall pay to him the sum of **£1254.60** (90 hours x £13.94).
4. The total payable is **£5068.58**.
5. The claim of unlawful deductions of wages (money deducted from wages for pension contributions that have not been paid into the relevant pension fund) is dismissed as not pursued in the claimant's statement.

Employment Judge JM Wade

Date: 28 May 2024