



EMPLOYMENT TRIBUNALS

Claimant: Mr Pawel Gromski
Respondent: Marshalls Truck Bodies Limited
Heard at: Manchester Employment Tribunal
On: 22 & 23 October 2024
Before: Employment Judge G Tobin

Representation

Claimant: In person
Respondent: Miss G Young (advocate)

JUDGMENT

The Judgment of the Employment Tribunal is that:

- 1. The claimant was not dismissed by the respondent, so his claims for unfair dismissal, pursuant to s94 Employment Rights Act 1996, and wrongful dismissal, i.e. dismissal in breach of contract, fail.**
- 2. The claimant suffered an unlawful deduction of wages, contrary to s13 Employment Rights Act 1996, in respect of the respondent's deduction of overpaid annual leave entitlement. The claimant is awarded compensation of 5 days unpaid wages, which total £540.00* (gross).**
- 3. There being no further matters outstanding, proceedings are now concluded.**

*As these figures are awarded gross, they may be subject to deduction for tax and national insurance as appropriate (and pension contribution if already made).

Employment Judge Tobin
23 October 2024

JUDGMENT SENT TO THE PARTIES ON

29 October 2024

FOR THE TRIBUNAL OFFICE

Notes

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.

Public access to Employment Tribunal decisions

Judgments and Written Reasons for the Judgments (if provided) are published, in full, online at 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 ARTICLE 12

Case number: **2401145/2024**

Name of case: **Mr P Gromski** v **Marshalls Truck Bodies Limited**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 29 October 2024

the calculation day in this case is: 30 October 2024

the stipulated rate of interest is: **8% per annum**.

For the Employment Tribunal Office