



EMPLOYMENT TRIBUNALS

Claimant: Mr Lee Gosshawk
Respondent: Sabio Recruitment Limited
Heard at: East London Hearing Centre (in person)
On: 2nd October 2024
Before: Employment Judge Howden-Evans

Representation
Claimant: In person
Respondent: No attendance

JUDGMENT

The judgment of the Tribunal is as follows:

Wages

1. The complaint of unauthorised deductions from wages is well-founded. The respondent made unauthorised deductions from the claimant's wages in the period July 2023 to January 2024.
2. The respondent shall pay the claimant **£9,068.77**, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.

Notice Pay

3. The complaint of breach of contract in relation to notice pay is well-founded.
4. The respondent shall pay the claimant **£4,916.67** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.

Failure to pay Employer Pension Contributions

5. The complaint of breach of contract in relation to failure to pay employer pension contributions is well-founded.

6. The respondent shall pay the claimant **£663.75** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.

Holiday Pay

7. The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.
8. The respondent shall pay the claimant **£567.20**. The claimant is responsible for paying any tax or National Insurance.

Written Itemised Pay Statements

9. The respondent failed to give the claimant written itemised pay statements as required by section 8 Employment Rights Act 1996 in the period **July 2023 to January 2024**.
10. The respondent made unnotified deductions totalling **£4,242.76** from the pay of the claimant in the 13 weeks prior to presentation of the claim form. The respondent shall therefore pay the claimant **£4,242.76** in respect of those deductions.

Total award

11. The total amount owed to the Claimant by the Respondent is **£19,459.15**.
12. Interest will accrue at a rate of 8% per annum on any amount of this award that remains unpaid 14 days after the date of this judgment. (See Article 3 (1) Employment Tribunals (Interest) Order 1990). This means if the whole amount remains unpaid it will accrue interest at a rate of **£4.27 per day**.
13. The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 do not apply to this award.

**Employment Judge Howden-Evans
2nd October 2024**

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

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