



EMPLOYMENT TRIBUNALS

Claimant: Mr M Roberts

Respondent: Artez Ltd

HELD AT: Manchester **ON:** 21 September 2017

BEFORE: Employment Judge Franey (sitting alone)

REPRESENTATION:

Claimant: In person

Respondent: Mr M Banton (Managing Director)

JUDGMENT

1. The complaint of an unlawful deduction from pay succeeds. The respondent is ordered to pay to the claimant the gross sum of £614.50 unlawfully deducted from his pay in April 2017.

2. The claimant has paid fees in connection with this claim. In **R (on the application of UNISON) v Lord Chancellor [2017] UKSC 51** the Supreme Court decided that it was unlawful for Her Majesty's Courts and Tribunals Service ("HMCTS") to charge fees of this nature. HMCTS has undertaken to repay such fees. In these circumstances no order requiring the respondent to reimburse the claimant in respect of fees is made, but I shall draw to the attention of HMCTS that this is a case in which fees have been paid and are therefore to be refunded to the claimant. The details of the repayment scheme are a matter for HMCTS. If HMCTS refuse to reimburse the claimant he may apply for reconsideration of this judgment and seek an order for reimbursement by the respondent.

Employment Judge Franey

21 September 2017

JUDGMENT SENT TO THE PARTIES ON

25 September 2017

FOR THE TRIBUNAL OFFICE

Note

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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: 2403313/2017

Name of case: Mr M Roberts v Artez Ltd

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: 25 September 2017

"the calculation day" is: 26 September 2017

"the stipulated rate of interest" is: 8%

MR S ARTINGSTALL
For the Employment Tribunal Office