



THE EMPLOYMENT TRIBUNAL

SITTING AT: SOUTHAMPTON

BEFORE: EMPLOYMENT JUDGE EMERTON (sitting alone)

BETWEEN:

Mr John Keen Claimant

AND

J C Beale Brickwork Limited Respondent

ON: 17 January 2018

APPEARANCES:

For the Claimant: Mr N Williams (Counsel)

For the Respondent: Mr J Bryant (Counsel)

JUDGMENT

The judgment of the tribunal is as follows:

1. The claimant was at all material times a worker for the purposes of section 230(3) of the Employment Rights Act 1996.
2. The claim of unauthorised deduction of wages (relating to holiday pay) is well-founded.
3. The respondent is ordered to pay to the claimant compensation of £5,763.25.00
4. The sum in the previous paragraph is ordered gross and may be liable for deductions lawfully made by the respondent, whether under the construction industry scheme or otherwise.

5. The claimant’s application for costs is refused.

Employment Judge M S Emerton

Date 17 January 2018

JUDGMENT SENT TO THE PARTIES ON

14th February 2018

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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.