



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Respondent

Jack Fernandes

Out of Africa Investments Limited
(In Voluntary Liquidation)

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT London Central Employment Tribunal **ON** 20 February 2019

EMPLOYMENT JUDGE Keith

Representation

For the Claimant: The claimant represented himself.

For the Respondent: The respondent did not attend and was not represented.

JUDGMENT

The judgment of the Tribunal is that:

1. The claimant is no longer pursuing the claims for notice and redundancy pay, on the basis that he has received them from the Insolvency Service. The claim for unfair dismissal is withdrawn for the same reason and all three claims are dismissed on the claimant's withdrawal of them.
2. The respondent made unlawful deductions from the claimant's wages as set out below, which the respondent is ordered to pay to the claimant on net basis, without deduction of tax:
 - a. in respect of his pay for the period from 1 to 7 August 2018; 1

- week's net pay (including an average 'tronc' payment) of **£350.72**;
- b. his unpaid tronc payment for July of **£224**, net:
 - c. pay in respect of 20 days, or 4 weeks' accrued but untaken holiday, of **£1,402.88**, again net.
 - d. Pension contributions (both employer and employee contributions, the latter being deducted but never paid into the claimant's pension) for the period January to August 2018 of **£409.60**.
3. The total award (2 (a) to (d)) is therefore **£2,387.20** net, with no deduction for taxes.

Employment Judge Keith
20 February 2019

Judgment sent to Parties on

13 March 2019

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.