



EMPLOYMENT TRIBUNALS

Claimant: Mr L Manning

Respondent: Ramen Chill Westcliffe Ltd

Heard at: East London Hearing Centre (by CVP)

On: 11 October 2022

Before: Employment Judge Townley

Representation

Claimant: Mrs J Joscelyn

Respondent: Did not appear and was not represented.

CORRECTED JUDGMENT

1. The Claimant commenced employment with the Respondent as a Sous Chef in October 2020. He was not given a written contract of employment but there was an agreement that he would be paid £28,000pa gross.
2. The Claimant resigned from his employment without giving notice on 5 March 2022.
3. In January 2022 the Claimant was given £30.00 in cash, but the remainder of his salary was not paid in for that month. The Claimant was not paid his salary in February 2022 and was not paid his salary for 1 – 5 March 2022 inclusive.
4. The Claimant was not paid 18 days holiday during his leave year commencing October 2021.
5. The Respondent failed to pay £700.00 in pension contributions on behalf of the Claimant for a period of 14 months between October 2020 and 5 March 2022.
6. The Respondent failed to provide the Claimant with written itemised pay statements.

7. The Respondent is therefore ordered to pay the Claimant the following sums:
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|-----|--|-----------------------------|
| 7.1 | Unpaid salary (January 2022) | £1512.00 (£1812.000-£30.00) |
| 7.2 | Unpaid salary (February 2022) | £1812.00 |
| 7.3 | Unpaid salary (1 – 5 March 2022) | £453.00 |
| 7.4 | Unpaid holiday | £1072.00 (18 x £ 59.57) |
| 7.5 | Unpaid pension contributions | £700.00 (14 x £50) |
| 7.6 | Failing to provide itemised pay statements | £1087.22. |
8. The Respondent is therefore ordered to pay to the Claimant the total sum of **£6636.26**.
9. Although damages are calculated on a net basis, since the Claimant will be liable for tax on the elements relating to pay, the gross figure is used in the calculation for 7.6 and as such he will have to account for Income Tax and National Insurance contributions to HMRC separately in respect of that specific sum.

**Employment Judge Townley
Date: 26 October 2022**