



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr David A Smith

v National Resourcing Solutions Ltd

Heard at: Watford

On: 4 July 2018

Before: Employment Judge Henry

Appearances

For the Claimant: Ms D Morrison - Solicitor

For the Respondent: Appearance not entered

JUDGMENT

- I. The complaint of unlawful deduction from wages succeeds. The respondent is ordered to pay compensation to the claimant in the gross sum of £885.50.
- II. On an application for costs, the tribunal orders the respondent pay to the claimant's representative, costs in the sum of £293.33 plus VAT.

Reasons

1. The claimant commenced engagement with the respondent on 11 October 2017, as CPC qualified lorry driver.
2. It was a term of the contract that the claimant was paid at an hourly rate of £11 per hour.
3. The claimant worked a total of 80.5 hours, quantified by his in-cab tachograph.
4. The claimant having worked 80.5 hours at the rate of £11, was entitled to a wage of £885.50.
5. The respondent has not made any payments to the claimant.

6. The respondent failed to pay the claimant the sum of £885.50, which was payable as wages in respect of work performed between 11 October 2017 and 20 October 2017.
7. The respondent's failure to pay that sum to the claimant was an unlawful deduction from the claimant's wages contrary to section 13 of the Employment Rights Act 1996.
8. The respondent is accordingly ordered to pay compensation to the claimant in the sum of £885.50

Employment Judge Henry

Date:24/7/2018

Sent to the parties on: 24/7/2018

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For the Tribunal Office