



THE EMPLOYMENT TRIBUNAL

SITTING AT: LONDON SOUTH

BEFORE: EMPLOYMENT JUDGE MJ DOWNS (sitting alone)

BETWEEN:

Claimant

Joe Mason

AND

Respondent

Bridgegate Security (GB) Ltd

ON: 20th February 2019

APPEARANCES:

For the Claimant: No appearance

For the Respondent: Mr Evans (Director)

JUDGMENT

UPON EJ Hutchinson having clarified at a closed telephone preliminary hearing on 15th October 2018 that the Claimant is bringing a claim for unlawful deduction of wages for £7 for the deduction of an insurance contribution and £10 for one hour's work not undertaken

AND UPON the Claimant having rejected an open offer to pay him £17 at the closed preliminary hearing but persisting with his claim on the basis that he was entitled to damages for emotional distress

AND UPON EJ Hutchinson having explained to the Claimant on 15th October 2018 that the Tribunal had no power to award him damages for emotional distress

AND UPON this hearing having been moved to London South from Nottingham at the request of the Claimant

AND UPON the Tribunal hearing sworn witness evidence from Mr Evans

AND UPON the Tribunal having read the bundle of documents provided by the Respondent for this trial along with the originating application and reply

AND UPON the Claimant not having appeared or presented evidence or material other than to be found attached to his originating application

AND UPON the Respondent acknowledging that in the exceptional circumstances of this case they did not obtain the prior written agreement of the Claimant to deduct £7 by way of an insurance payment and therefore did not seek to defend the claim for £7.00

AND UPON the Tribunal finding that the Claimant had worked for the Respondents for nine hours at a rate of pay of £10 an hour and that was what he was paid for

The judgment of the Tribunal is that:-

- (1) The claim for unlawful deduction of wages for the insurance contribution is well founded
- (2) The claim for unlawful deduction of wages for one hour's work that was not undertaken by the Claimant is not well founded
- (3) The Respondent shall pay the Claimant the sum of £7

Employment Judge MJ Downs
Date: 21st February 2019

Note

Reasons for the judgment having been given orally at the hearing, written reasons were not requested at the hearing and will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.