



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr T Karemba

**Respondent:** 24 British Maintenance Limited

**Heard at:** Sheffield

**On:** 18 April 2019

**Before:** Employment Judge Little

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Mr D Smith, Managing Director

# JUDGMENT

My Judgment is that:

1. At all material times (27 July 2018 to 10 September 2018) the claimant was an employee of the respondent.
2. In any event he was also a worker for the respondent during the material period.
3. The complaint of unauthorised deduction from wages succeeds because the respondent made no payment to the claimant for his six weeks' period of employment and any deductions it proposed to make (other than for course fees) would have been unauthorised and so unlawful.
4. I find that the claimant's gross weekly pay would have been £557.69 and so for the six week period the amount of £3,346.14 gross.

5. The claimant concedes that he is obliged to repay a course of exam fee of £370 and accordingly I award to the claimant the gross sum of £2,976.14. The claimant is obliged to account to HMRC in respect of that gross receipt.

Employment Judge Little

Date: 25 April 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.

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