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# EMPLOYMENT TRIBUNALS

**Claimant:** Mr G Wolf

**Respondent:** PL Logistical Solutions Ltd

**Heard at:** East London Hearing Centre

**On:** Friday 22 November 2019

**Before:** Employment Judge Ross (sitting alone)

## Representation

**Claimant:** In person

**Respondent:** No appearance

## JUDGMENT

The judgment of the Employment Tribunal is that:-

- (1) The complaint of unlawful deduction from wages is upheld.
- (2) The Respondent shall pay the Claimant unpaid wages of £1,250.72 (of which £1,089.92 is to be paid net to the Claimant given that the Respondent has already paid a proportion of tax and all the national insurance due from the gross wages).

## REASONS

1 The Claimant was employed by the Respondent as an HGV driver between 16 May 2019 and 3 June 2019.

2 After a period of early conciliation, the Claimant presented a claim for unlawful deduction from wages on 11 August 2019.

3 By a response dated 2 October 2019, the Respondent admitted that the earnings details provided by the Claimant were correct and that the Respondent would pay the amount of £1,089.92 before the hearing of 22 November 2019.

4 Subsequently, in correspondence dated 20 November 2019, the Respondent stated that it would pay the full amount claimed but could not do so before the hearing today and applied to postpone the hearing. That application was refused.

5 Today, I heard evidence from the Claimant, who verified the contents of his claim form. He explained that the Respondent had already paid all of the national insurance due on the wages owed to him but only £9 of the income tax; and that the Respondent had withheld the net payments of £1,089.92. Moreover, he pointed out that the Inland Revenue was chasing him for the unpaid tax which amounted to £160.80.

6 Without hesitation, I accepted his evidence which was supported by the document of 11 August from HM Revenue and Customs.

7 I concluded that the Claimant is entitled to total wages of £1,250.72 gross, of which he is entitled to receive net £1,089.92.

Employment Judge Ross

28 November 2019