



EMPLOYMENT TRIBUNALS

Claimant: James Woodward

Respondent: H Atkinson & Sons (Ingleby) Ltd

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the gross sum of **£120**.
6. The hearing listed on **06 January 2020** is cancelled.

REASONS

1. The Claimant's Claim Form was served and sent to the Respondent. A response was due by 04 December 2019. No response was received. I am required by Rule 21 of the Employment Tribunals Rules of Procedure 2013 to decide on the available material whether a determination can be made on the claim and, if so, obliged to issue a judgment which may determine liability and remedy. I have in the claim form sufficient material to find the claim of unauthorised deduction of wages proved on a balance of probabilities. I also have sufficient material to determine the award.
2. The Respondent deducted from the Claimant's final salary a sum of £120 purportedly to recover the cost of training. An employer may not make any deduction from wages of a worker employed by him unless the deduction is required or authorised to be made by virtue of a statutory provision of a relevant provision of the worker's contract, or if the worker has previously signified in writing his agreement or consent to the making of the deduction. The Claimant claims that there was no such contractual authority and nor did he consent to the making of the deduction. Accordingly, I find the claim is well founded.

Employment Judge **Sweeney**

Date: 10 December 2019