



EMPLOYMENT TRIBUNALS

Claimants
Mr M Orlebar

v

First Respondent
Harlow Pizza Limited

Second Respondent
Ali Hazra

Heard: Papers only

On: 4 June 2020

Before: Employment Judge JM Wade

This has been a hearing considering papers only. A hearing took place by Skype on 29 April 2020 at which I gave Judgment in all the claimant's complaints apart from remedy in connection with his employer's failure to provide itemised pay statements. I directed that further information be provided. The claimant has provided a copy of his HMRC record, such that I can now make the declaration and award the sums due as set out below. I cannot declare the additional sums and HMRC deductions which I awarded on the last occasion, because the amount of those and the consequent PAYE deductions which should have been made is unknowable on the information available to the claimant or the Tribunal.

JUDGMENT

1. It is not possible to reconcile or declare the sums to include in itemised statements with figures sent to the revenue by the respondent as indicated in the table below.

Date of payment/date declared to the revenue as paid	Gross Pay	Income Tax Deduction (refund)	Employee National Insurance Deduction (refund)	Net pay received by the claimant
24.5.19/17.5.19	762.41	0.00	11.76	750.65
21.6.19/14.6.19	762.41	0.00	11.76	1043.65
21.6.19/14.6.19	413.89	42.80	49.92	As above
24.7.19/12.7.19	1176.30	42.80	61.68	866.50
24.7.19/12.7.19	(313.20)	(85.60)	(37.92)	As above
None/9.8.19	863.10	0.00	23.76	None

2. The respondent having failed to provide itemised pay statements to the claimant reflecting the deductions above it shall further pay to the claimant the total sum of **£244.68** representing the total employee national insurance and income tax deductions deducted but not notified on 24 May, 21 June, 24 July and 9 August (on the latter occasion there was no payment at all, which has already been addressed in my first judgment).

Employment Judge JM Wade

29 April 2020