



EMPLOYMENT TRIBUNALS

Claimant

Respondent

v

Mr Fiaz Hussain

Cordant Security Limited
(Company No: 03153231)

Heard at: Watford by CVP

On: 17 March 2021

Before: Employment Judge Alliott (sitting alone)

Appearances

For the Claimant: In person

For the Respondent: Did not appear

COVID-19 Statement on behalf of Sir Keith Lindblom, Senior President of Tribunals

“This has been a remote hearing not objected to by the parties. The form of remote hearing was CVP. A face to face hearing was not held because it was not practicable and no-one requested the same.”

JUDGMENT

The Judgment of the Tribunal is that:

1. The respondent was in breach of contract in not paying the claimant's wages and is ordered to pay him the gross sum of £6,852.72.

REASONS

1. The respondent is in administration as from 2 March 2020. The respondent has not entered a response. The respondent's administrators have stated it will not be represented today.
2. The automatic stay of these proceedings was lifted following the consent of the administrators given in writing on 3 March 2021.

3. The claimant's contract of employment guaranteed him 336 hours of work per year. A year is defined as 52 weeks from the commencement date. The claimant told me he first worked for the respondent on 9 September 2015. I have taken that as the commencement date.
4. The claimant last worked for the respondent on 9 April 2017. He accepted that he had probably worked 336 hours in that year by then.
5. The claimant states that he remains employed. However, I have taken it that his employment ceased on 2 March 2020 when the respondent went into administration. I note an in-house solicitor for the Cordant Group has stated in an email dated 3 November 2020 that the claimant's employment terminated in November 2019. However, in the absence of a response or any evidence I cannot accept that.
6. The claimant has claimed an hour rate of £8.08. However, I have taken the minimum wage of £8.21 for the year from 9 September 2018. I have taken 9 September 2019 – 2 March 2020 to be 6 months : Accordingly,

336 hours for the year end 8 September 2018 @ £8.08 = £2,714.88
336 hours for the year end 8 September 2019 @ £8.21 = £2,758.56
168 hours for the year end 2 November 2020 @ £8.21 = £1,379.28

TOTAL **£6,852.72**

Employment Judge Allriott

13 April 2021

Date:

20 April 2021

Sent to the parties on:

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For the Tribunal Office

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.