



# EMPLOYMENT TRIBUNALS

In the London South Employment  
Tribunal

Between:

Mr. Z Hemming

Claimant

-v-

IRG Ltd

Respondent

HELD ON: 25 May 2021

BEFORE: Employment Judge Mr. T Russell sitting alone (CVP video audio call)

REPRESENTATION:

Claimant: Mr. Payne , Counsel

Respondent: Ms. Peckham , Solicitor

## JUDGMENT

1. The Claimant was guaranteed, on 5 September 2018, a minimum bonus payment of £34,000 for the year 2018-9 of which only £17,000 (less tax and deductions) was made.
2. His claim of unauthorised deduction from wages under Part II of the ERA 1996 succeeds and he is entitled to the unpaid sum of £17,000 (which was due by the end of July 2019).
3. The Respondent is ordered to make payment of £17,000 through its payroll less deduction of tax and NI due to HMRC, using the OT code as the Claimant is no longer employed by the Respondent, and pay the balance to the Claimant by cheque or bank transfer.
4. In addition the Respondent is ordered to pay a further sum of £3,400 to the Claimant without deduction of tax representing 20% of the gross sum due in accordance with section 207A of TULRCA 1992 due to the Respondent's failure to comply with the ACAS Code and engage in any discussion as to the debt claimed by the Claimant during and on the termination of his employment .

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Employment Judge Russell  
Date: 25 May 2021