



## EMPLOYMENT TRIBUNALS

**Claimant**

**Mr Mark Boxall**

**Respondent**

**V Property Collection Worldwide Ltd**

## REMEDY HEARING BY CLOUD VIDEO PLATFORM

**Heard at: Watford**

**On: 12 August 2020**

**Before: Employment Judge Bedeau**

**Appearances:**

**For the Claimant: In Person**

**For the Respondents: Did not participate**

## JUDGMENT ON REMEDY

1. The respondent is ordered to pay the claimant the sum of £1,800.71 net in respect of his unauthorised deductions from wages claim.
2. The respondent is ordered to pay the claimant's costs in the form of a Preparation Time Order in the sum of £250.

## REASONS

1. The claimant worked for the respondent from 12 September 2017, latterly as a Marketing and Production Assistant. His employment was terminated on 13 July 2019.
2. In his claim form presented to the Tribunal on 30 July 2019, he claims unauthorised deductions from wages and accrued unpaid holiday.
3. The respondent failed to present its response and judgment was given orally in the claimant's favour at the preliminary hearing held on 7 May 2020, before Employment Judge Mitchell, at Cambridge Employment Tribunal. This was later confirmed by the Judge in a written judgment dated 27 June 2020. The case was set down for a remedy hearing today with the respondent being given the opportunity to attend and to participate.
4. The respondent did not attend the hearing before me, only the claimant.

**The evidence**

- 5. The claimant commenced employment with the respondent on 12 September 2017. In February 2018, he was promoted to Marketing and Production Assistant on an increased salary of £20,000 gross per annum. He worked remotely from home 4 days a week with one day on site.
- 6. He told me that he became aware that the respondent would pay its office-based staff on time but delayed the pay of those working from home.
- 7. He was given his payslip for June 2019 of £1,666.67 gross and a net pay of £1,381.97. For July he received a payslip giving his net pay up to 13 July of £418.74. I was satisfied, as the respondent was not present to challenge it, that he never received his June and July pay. He became concerned because he and his partner had recently purchased a home and he was unable to meet his half of the mortgage payments. After contacting ACAS on 27 June 2019 and after an Early Conciliation Certificate had been issued on 27 July 2019, he presented his claim to the Tribunal 3 days later as he was desperate for the payment of his wages.

**Conclusion**

- 8. I was satisfied that the respondent failed to pay the claimant his June and July 2019 wages and I ordered that it should pay the sum of £1,800.71 net to the claimant for the unauthorised deductions from his wages.
- 9. I considered a Preparation Time Order for the claimant's costs under rules 74 – 79, schedule 1, Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013. He told me that he spent around 7.5 hours in total but could not be certain, contacting ACAS, drafting his claim form, and in preparing for the earlier preliminary hearing and this hearing.
- 10. I was further satisfied that the respondent had acted unreasonably in its defence of the claim by failing to pay the claimant what was clearly owed to him; in having to make him seek redress by presenting his claim before an Employment Tribunal; in failing to present a response and in not attending the hearings. I have no evidence of its ability to pay but I am told that it is still trading albeit from a different address.
- 11. I order that the respondent shall pay the claimant's costs in the form of Preparation Time Order, in the sum of £250.

**Employment Judge Bedeau**

12 August 2020

.....

Sent to the parties on:

.....

For the Tribunal:

.....