



EMPLOYMENT TRIBUNALS

Claimant: Miss M K Molinari

Respondents: (1) Brits Security Limited
(2) Brits Facilities Limited

Heard at: East London Hearing Centre (Via Telephone)

On: 13 December 2021

Before: Employment Judge Crosfill

Representation

Claimant: In person

Respondents: No appearance or representation

UPON the Respondent failing to present a response within the period prescribed by rule 16 of Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 and thereafter failing to make an application in compliance with rule 20.

AND UPON the tribunal writing to the Claimant seeking further information and the Claimant providing a copy of her pay slips and a statement of terms and conditions.

AND UPON the Tribunal listing a preliminary hearing for the purposes of case management and at that hearing the Employment Judge noting that the consideration required by Rule 21 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 had not taken place and indicating that consideration would be given to entering judgment at after the hearing.

AND UPON the Tribunal being satisfied that the Claimant is entitled to a judgment under rule 21 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 in respect of her claim for wages against Brits Security Limited being the company that paid her wages throughout her employment.

AND UPON the Claimant indicating that if her claim for wages was satisfied she would

not pursue any further claims.

JUDGMENT

1. The Claimant's claim against Brits Security Limited for unlawful deduction from wages brought under Section 23 of the Employment Rights Act 1996 and/or the same claim brought as a claim for breach of contract pursuant to the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 is well founded.
2. It is declared that the Brits Security Limited deducted the sum of £640.00 from the Claimant's wages due on 10 March 2021 and 10 April 2021.
 - (a) The Claimant was entitled to £1600 gross pay in February 2021 payable on 10 March 2021 but was paid only £1,400 a shortfall of £200.00; and
 - (b) The Claimant was entitled to £1840 gross pay in March 2021 payable on 10 April 2021 a shortfall of £440.00
3. Brits Security Limited is ordered to pay the Claimant the sum of **£640.00**.
4. The Claimant's claims against both Respondents brought under the Equality Act 2010 either as claims for direct discrimination and/or as a claim for equal pay are stayed until 13 June 2022. Unless the Claimant writes to the Tribunal on or before 13 June 2022 asking for the stay to be lifted then the remaining claims shall be dismissed without further order.

Employment Judge John Crosfill
Date: 13 December 2021