



EMPLOYMENT TRIBUNALS

Claimant: Mr Jason John Clark

Respondent: Shower Glass Ltd

Heard at: Bristol Employment Tribunal by CVP video

On: 26 November 2021

Before: Employment Judge Millard

Representation

Claimant: In person

Respondent: Ms Wood (Representative)

JUDGMENT

1. The respondent has made an unlawful deduction from the claimant's wages and is ordered to pay to the claimant the gross sum of £107.37, in respect of the amount unlawfully deducted.

Reasons

1. The Respondent was legally required to make deductions from the Claimant's wages for tax and national insurance.
2. The Claimant agreed in evidence that the Respondent's calculation of his total hours worked as being 756.75 hours, was correct and therefore that his gross salary was correct.
3. The Claimant agreed in writing using Facebook Messenger, in advance, for the following deductions to be made from his salary,
 - a. 25 February 2021, £65 penalty charge notice
 - b. 29 March 2021, £65 penalty charge notice
 - c. 5 March 2021, £175 replacement glass
4. The Claimant did **not** agree in writing to the following deductions and there was no provision in his contract of employment for these deductions to be made,
 - a. 5 February 2021, £59.99 replacement rear light (Due to rounding the actual amount deducted was £58.37)
 - b. 5 March 2021, £49 replacement mirror
5. These two deductions totalling £107.37 were therefore unlawful deductions from his wages.
6. The Employment Tribunal cannot consider a claim for personal injury alleged to have been caused in a workplace incident.

Case No: 1402449/2021

Employment Judge Millard
Date: 26 November 2021

Judgment sent to parties: 15 December 2021

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.