



**Case No. 2302203/2020**

# **EMPLOYMENT TRIBUNALS**

**Claimant:** Mr J Rivera

**Respondent:** Capital Staffing Services Limited

**Heard at:** Croydon (By CVP)

**On:** 1 February 2022

**Before:** Employment Judge Self

## **Appearances**

For the Claimant: No Attendance

For Respondent: Ms S Ibrahim - Counsel

## **JUDGMENT**

1. The Claimant's application for a postponement of this hearing is refused.
2. The following claims have been struck out pursuant to Rule 37 (1) (a) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 Schedule 1 as having no reasonable prospect of success:
  - a) Alleged unlawful deduction of wages claim covering the period from February to April 2016 as set out at para.3 of the Claim Form;
  - b) Alleged unlawful deduction of wages relating to unpaid basic salary as set out at para 19.1 of the Claim Form.
3. The following claims have been made subject to the payment of a deposit order of £1,000 per claim:
  - a) Automatically Unfair Dismissal claim pursuant to section 104 Employment Rights Act 1996;
  - b) The Claim for salary and salary bonus as set out at par 19.2 of the Claim;

c) The wrongful dismissal claim at para 21.2 of the Claim.

4. The following claims remain to be determined at a final hearing:

- a) The claim of ordinary unfair dismissal;
- b) The claim for the salary bonus as set out at para 19.1 (unlawful deduction of wages only);
- c) The claim for a company bonus at para 19.3 (unlawful deduction of wages only);
- d) Any unlawful deductions linked to a failure to pay pension contributions deducted to the pension provider at para 21.1 (unlawful deduction of wages claim only).

Employment Judge Self  
Date: **4<sup>th</sup> March 2022**

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For the Tribunal Office:

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Sent to the parties on: **7<sup>th</sup> March 2022**