



EMPLOYMENT TRIBUNALS

Claimants

- (1) Mr A Cozzini
- (2) Mr R Udhwani
- (3) Mr C W Lau
- (4) Ms A Ramesh
- (5) Mr M Kunkler
- (6) Mr C Jones
- (7) Mr O Chalkley
- (8) Mr H Binning

v

Respondent

Gentrian Limited

Heard at: Central London Employment Tribunal **On:** 31 August 2022
Before: Employment Judge Norris, sitting alone (via CVP)

Representation:

Claimants – In person
Respondent – Did not appear/not represented

JUDGMENT

1. The Respondent has not entered a response to the Claimants' claims, which accordingly succeed in default pursuant to Rule 21 (Schedule 1, Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013).
2. The Respondent is ordered to pay to the Claimants the following sums **without deduction** (all figures are based on net pay):

(1) Mr Cozzini	£16,211.36;
(2) Mr Udhwani	£6,000.00;
(3) Mr Lau	£3,441.20;
(4) Ms Ramesh	£5,733.27;
(5) Mr Kunkler	£91,740.16;
(6) Mr Jones	£23,037.31;
(7) Mr Chalkley	£23,346.55;
(8) Mr Binning	£14,431.50.
3. The Tribunal makes a declaration under section 12(3) Employment Rights Act 1996 ("Act") that the Respondent has failed to provide itemised payslips to Mr Kunkler and Mr Jones, contrary to section 8 of the Act.

**Case Nos: 2200622/2022, 2200629/2022, 2201317/2022
2203232/2022, 2203725/2022, 2203742/2022
2203743/2022 & 2203744/2022**

4. The Claimants' contracts of employment were with the Respondent. The Tribunal does not have the power to add its director as a party to the proceedings and nor does it have jurisdiction to consider a claim for the tort of deception.
5. The Tribunal has considered whether it is appropriate to order an employer penalty under section 12A(1) Employment Tribunals Act 1996. In light of section 12A(2) (the requirement to have regard to an employer's ability to pay) no such order is made.

Employment Judge Norris
Date: 31 August 2022
JUDGMENT SENT TO THE PARTIES ON

01/09/2022

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FOR THE TRIBUNAL OFFICE

Note: *Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from any party within 14 days of the sending of this record of the decision.*