



## EMPLOYMENT TRIBUNALS

**Claimant** Mr J Bloxham  
**Represented by** In person

**Respondent** Bauporte Doors UK Ltd  
**Represented by** Did not appear and was not represented

**Employment Judge** Ms A Stewart (sitting alone)

**Held at:** London Central by CVP                      **on:** 13 March 2023

## JUDGEMENT

1        The Claimant's complaint, under section 23 of the Employment Rights Act 1996, that he has suffered unlawful deductions from his wages within the meaning of section 13, in the net sum of £8,086.94 pence is well-founded.

2        Accordingly, it is ordered that the Respondent pay to the Claimant the sum of £8,086.94 pence net, and it is to be expected that the Respondent will duly account to HMRC for lawful deductions for tax and National Insurance on the net amount ordered.

## REASONS

### Introduction:

1        The Respondent has not presented a Response to this claim and did not appear today either in person or by representation. The Claimant attended, gave evidence under oath and placed before the Tribunal the following documentary evidence:

- (i) His contract of employment as Project & Service & Maintenance Manager at an annual salary of £52,500 for the first six months, payable monthly at the end of the month, and providing for 1 week's notice in the first 3 months;
- (ii) a series of whatsapp messages between himself and his immediate line manager, Robert Workman;

(iii) a copy of an email from Zoe Robinson (payroll) at Dominic Hill Finance Ltd to Karel Bouman, CEO of the Respondent and Anne-Marie of HR, which had been forwarded to the Claimant by Anne-Marie sometime in January 2023. This email sets out calculations of his entitlement to wages, paid and unpaid, from the beginning of his employment.

The Facts:

2 The Claimant commenced his employment on 5 September 2022. He was paid for September 2022, 10 days late, on 10 October 2022 and has not been paid anything since. None of the rest of the staff of the Respondent company were paid from this date. The Claimant paid the unpaid fines for the engineers' vans which had been clamped for parking offences, out of his expenses float and the employees eventually ran out of money for petrol and expenses and work ground to a halt. In early November the CEO told staff to stand down and wait and then disappeared and has since been uncontactable by the Claimant.

3 The Claimant, at the end of November 2022, finally despaired of being paid and, having a mortgage to pay, informed the Respondent that he would look for another job, which he eventually started on 15 December 2022. The remaining staff, who stayed on and waited, have now been paid all wages due to them, but the Claimant has received nothing and therefore brings this claim to the Tribunal.

4 The Claimant contacted HMRC in December 2022 regarding the single payment of £3,477.00, which he received on 10 October 2022, which showed up on his bank statement as having been paid by "Moport Bauporte Maintenance", but HMRC told him that they had no record of this payment. The Claimant fears therefore that the Respondent has not accounted to the Inland Revenue for his tax and NI payments. He has never received a payslip but had sight of payslips for September and October 2022 attached to the email set out at paragraph 1(iii) of this Judgment. He is no longer able to access this attachment.

5 The email from the payroll company referred to above sets out the following, in terms:

"Below are my workings for James Bloxham:

Salary payments due:       September - £2,718.93;  
  October - £3,018.32;  
  November - £3,064.89;  
  December – 2,762.12 – being 12 days pay, 5.5  
days holiday pay and 1 weeks notice pay:  
**Total Due - £11,564.26**

**Already paid – 10/10/22 - £3,477.32**

**OUTSTANDING - £8,086.94.**"

There is further reference in this email to Expenses which need to be claimed and paid, but the Claimant does not claim these as he states that he paid them from his float.

Conclusion:

6 The Tribunal was satisfied on all the evidence before it that the Claimant is entitled to his unpaid wages in the net sum of £8,086.94 and gives Judgment accordingly.

7 The Claimant also states that he is still in possession of the Respondent company's laptop, phone and keys to the office and to the lock-up. He has been unable to contact anyone in company management in order to return them and wants the Respondent to send someone to collect them from him at a mutually arranged convenient time.

Signed: Employment Judge A Stewart

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**Employment Judge**

Date 13 March 2023

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Judgment sent to the parties on  
14/03/2023

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FOR THE TRIBUNAL OFFICE