



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr R Collings  
**Respondent:** Clocks and Barrels Ltd  
**Heard at:** Bristol (via video – VHS)  
**On:** 17 March 2023  
**Before:** Employment Judge Cuthbert

## Appearances

For the Claimant: In person  
For the Respondent: Did not attend

# JUDGMENT

1. The claimant's claim for unlawful deductions from wages succeeds.
2. The claim for holiday pay is withdrawn by the claimant and dismissed upon withdrawal (the sum having been paid by the respondent).
3. The respondent is ordered to pay to the claimant the sums set out in the **appendix** to this judgment.

Employment Judge Cuthbert  
16 March 2023

Judgment sent to the parties on 29<sup>th</sup> March 2023

For the Tribunal Office:

**Notes**

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.

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

# Appendix

Hourly rate to which the claimant was entitled: £12.50

**Pay date: 25/11/21**

41.75 hours at £12.50

Wages due: £521.88 (gross)

Wages reported to HMRC by respondent: £521.88 (gross), £425.54 (net)

Wages actually paid to claimant: £323.43<sup>1</sup> (net)

Shortfall due to claimant: **£102.11 (net) (Amount (A))**

**Pay date: 02/12/21**

49.50 hours at £12.50

Wages due: £618.75 (gross)

Gross wages reported to HMRC by respondent: £441.05 (gross)

Shortfall due to claimant: **£177.70 (gross) (Amount (B))**

Net wages reported to HMRC by respondent: £370.40 (net)

Wages actually paid to claimant: £268.29<sup>2</sup>

Further shortfall due to claimant: **£102.99 (net) (Amount (C))**

**Pay date: 09/12/21**

33.50 hours at £12.50

Wages due: £418.75 (gross).

Gross wages reported to HMRC by respondent: £280.67 (gross)

Shortfall due to claimant: **£138.08 (gross) (Amount (D))**

Net wages reported to HMRC by respondent: £261.47 (net)

Wages actually paid to claimant £261.47<sup>3</sup>

**Less**

Credit is due to the respondent for the sum paid by the respondent to the claimant on 13 March 2023: **£272 (net) (amount (E))**. This amount of £272 is to be **credited** to the respondent from the net total of amounts (A), (B), (C) and (D) above.

**Summary**

In summary, the respondent is ordered to pay to the claimant: (A) + (B)<sup>4</sup> + (C) + (D)<sup>5</sup> - (E).

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<sup>1</sup> On 04/01/22

<sup>2</sup> On 11/01/22

<sup>3</sup> On 17/01/22

<sup>4</sup> Less deductions for tax and NICs

<sup>5</sup> Again, less deductions for tax and NICs