



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr Mohammed Imtyazuddin

v

Securicorp NE Ltd

Heard at: Newcastle

On: 26 May 2023

Before: Employment Judge S Moore

Appearances

For the Claimant: In person

For the Respondent: No appearance

JUDGMENT PURSUANT TO RULE 21(2) OF THE EMPLOYMENT TRIBUNAL RULES OF PROCEDURE 2013

(1) The claim of unlawful deduction from wages succeeds in the sum of £7,424.63. The Claimant will be responsible for paying any tax and/or National Insurance due on that sum.

REASONS

1. This is a claim for unlawful deduction of wages pursuant to s.23 of the Employment Rights Act 1996.
2. The Claimant was employed by the Respondent as a door supervisor from the end of October 2022 until mid-January 2023, (when he resigned). It was agreed he would be paid £9.75 per hour.

3. The Claimant was paid his wages for October 2022 and November 2022, although after a delay. However, he was not paid any of his wages for December 2022 or January 2023. At the hearing he provided details of his shift allocations and timesheets showing that he worked 591 hours in December 2022 and 170.5 hours in January 2023. He also provided an email from someone called Adele at ACAS dated 2 February 2023 stating, "The Respondent confirmed that your invoice for December was correct, so there should be no issue getting paid for this at the end of February/early March". However, the Respondent has failed to pay the Claimant, and also failed to submit a response to the Claimant's subsequent claim (this claim) to the Employment Tribunal.
4. It follows that the claim for unlawful deduction of wages succeeds. The Claimant is entitled to unpaid wages in the sum of £5,762.25 in respect of the hours he worked in December 2022 (591 x 9.75) and £1,662.38 in respect of the hours he worked in January 2023 (170.5 x 9.75). This makes a total sum due to the Claimant from the Respondent of £7,424.63.

Employment Judge S Moore

Date: 26 May 2023