



EMPLOYMENT TRIBUNALS

Claimant: Mr R Nicoara
Respondent: State K9 Security Ltd
Heard at: London South Employment Tribunal (by CVP video conference)
On: Wednesday 14 June 2023
Before: Employment Judge Musgrave-Cohen

Representation:

Claimant In person
Respondent Mr Nathanael Young

JUDGMENT

1. The Claimant was a worker within the meaning of section 230 Employment Rights Act 1996.
2. The respondent made unauthorised deductions from wages by failing to pay the claimant the full amount of wages due for work done between 30 August 2022 and 15 September 2022 and is ordered to pay to the claimant the sum of £2,830 being the total gross sum deducted.
3. The respondent is ordered to pay to the claimant additional compensation of £2,284 representing 4 weeks' pay pursuant to section 38 Employment Act 2002

for failure to provide the claimant with a full and accurate written statement of employment particulars.

4. The claim for unfair dismissal is dismissed as the Tribunal did not have jurisdiction to hear it.

5. Applying the guidance in **Walters t/a Rosewood v Barik UKEAT/0053/16/BA**, the awards for unlawful deduction from wages are a gross amount which the respondent can satisfy by payment to the claimant of the net amount due and payment to HMRC of any tax and national insurance which falls to be deducted at source.

Employment Judge Musgrave-Cohen
Date: 22 June 2023