



EMPLOYMENT TRIBUNALS

First Claimant: Mr Michail Pipis
Second Claimant: Ms Chloe Arbisman
Third Claimant: Mrs Audra Clarke
Fourth Claimant: Miss Molly McKenna
Fifth Claimant: Mr Andrew Lee
Sixth Claimant: Miss Monika Wierzbowska

Respondent: Microgem UK limited

Heard at: Bristol (by VHS) **On:** 17 and 18 August 2023

Before: Employment Judge Halliday

Representation

Claimants: First to Fifth Claimant in person
Sixth Claimant did not attend.
Respondent: Did not attend

JUDGMENT

- 1 The correct Respondent is Microgem UK Limited.
- 2 The duplicate claim number 1400979/2023 (Fourth Claimant) is dismissed.
- 3 The Second Claimant (who had not resigned at the date her claim was issued) does not pursue her complaint of constructive unfair dismissal and it is dismissed on withdrawal.
- 4 The Respondent has made a deduction from the First Claimant's wages in contravention of section 13 Employment Rights Act 1996 and the First Claimant succeeds in his claim for unauthorised deduction from wages. The Respondent is ordered to pay the gross sum of £11,170.29 being unpaid salary due from 1 September 2022 to 28 October 2022.
- 5 The First Claimant succeeds in his breach of contract claim and is awarded the sum of £14.91 being outstanding expenses due as at the

date of the termination of his employment.

- 6 The Respondent has made a deduction from the Second Claimant's wages in contravention of section 13 Employment Rights Act 1996 and the Second Claimant succeeds in her claim for unauthorised deductions from wages. The Respondent is ordered to pay the Second Claimant the gross sum of £19,644.02 being unpaid salary due from 1 September 2022 to 13 January 2023 (which includes a 15% contractually agreed uplift on overdue sums).
- 7 The Respondent is ordered to pay to the Second Claimant the further sum of £492.64 as compensation for the additional financial losses suffered by the Second Claimant attributable to the unauthorised deductions made.
- 8 The Respondent has made a deduction from the Third Claimant's wages in contravention of section 13 Employment Rights Act 1996 and the Third Claimant succeeds in her claim for unauthorised deductions from wages. The Respondent is ordered to pay the Third Claimant the gross sum of £14,330.78 being unpaid salary due from 1 September 2022 to 15 December 2023 (which includes a 15% contractually agreed uplift on overdue sums).
- 9 The Respondent is ordered to pay the Third Claimant the further sum of £100 as compensation for the additional financial losses suffered by the Third Claimant attributable to the unauthorised deductions.
- 10 The Respondent has made a deduction from the Fourth Claimant's wages in contravention of section 13 Employment Rights Act 1996 and the Fourth Claimant succeeds in her claim for unlawful deductions from wages. The Respondent is ordered to pay the Fourth Claimant the gross sum of £14,960 being unpaid salary due from 1 September 2022 to 27 January 2024 (which includes a 15% contractually agreed uplift on overdue sums). This sum includes unpaid holiday pay for 9 days annual leave. The Respondent is also ordered to pay the sum of £164.66 as payment for accrued but untaken holiday,
- 11 The Fourth Claimant succeeds in her breach of contract claim and is awarded the sum of £62 being outstanding expenses due as at the date of the termination of her employment.
- 12 The Respondent has made a deduction from the Fifth Claimant's wages in contravention of section 13 Employment Rights Act 1996 and the Fifth Claimant succeeds in his claim for unlawful deductions from wages. The Respondent is ordered to pay the Fifth Claimant the gross sum of £20,292.06 being unpaid salary due from 1 September 2022 to 30 November 2022 (which includes a 15% contractually agreed uplift on overdue sums).
- 13 The Fifth Claimant succeeds in his breach of contract claim and is awarded the gross sum of £6,094 being the agreed bonus payment outstanding as at the date of the termination of his employment and the

further sum of £1,653.15 as damages for failure to make employer pension contributions.

- 14 The Respondent has made a deduction from the Sixth Claimant's wages in contravention of section 13 Employment Rights Act 1996 and the Sixth Claimant succeeds in her claim for unlawful deductions from wages. The Respondent is ordered to pay the Sixth Claimant the gross sum of £11,189.48 being unpaid salary and holiday pay due from 1 September 2022 to 10 February 2023 (which includes a 15% contractually agreed uplift on overdue sums).

Employment Judge Halliday
Date 18 August 2023

Judgment sent to the Parties on 07 September 2023

For the Tribunal Office

Note

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.