



EMPLOYMENT TRIBUNALS

Claimant: Ms Butenko

Respondent: DG Management Ltd

Heard at London Central (by CVP)

On: 13 September 2023

Before Employment Judge Shukla (sitting alone)

Representation

Claimant In person

Respondent Did not attend

JUDGMENT AND REASONS

1. The respondent did not attend, and requested an adjournment by email on 12 September 2023, on the basis the parties were on the verge of settlement. The parties had not settled by 10am on 13 September 2023, and the respondent sent an email a few minutes before the hearing began. In that email, the respondent said it accepted the respondent owed the claimant £380, for arrears in pay and accrued holiday pay, but the claimant would not accept that the respondent had to deduct tax and national insurance from this amount.
2. I did not grant an adjournment on the basis it would be more efficient to proceed, in line with the overriding objective.
3. The claimant gave evidence through an interpreter, and said she accepted she was owed £380 by the respondent (£76 per day for 1 day's pay, and 4 days' accrued holiday pay). She also accepted that deductions for tax and national insurance would be required, but said the wrong tax code had been used, and too much had been deducted from her wages. I explained that she would need to discuss tax code issues with HMRC and her employer.
4. I gave the following judgment at the hearing:
 - a. The claimant's complaint of unauthorised deduction from wages is well founded.
 - b. The respondent is ordered to pay £380 gross to the claimant.

Case Number: 2207418/2023

Employment Judge Shukla
15TH Sept 2023.

RESERVED JUDGMENT AND REASONS SENT TO THE PARTIES ON
15/09/2023

FOR THE TRIBUNALS