



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr James Montgomery

**Respondent:** Faith PS Ltd

**Heard at:** Birmingham remotely by video

**On:** 25 October 2023

**Before:** Employment Judge Battsby (sitting alone)

## Representation

Claimant: In person

Respondent: N/A

# JUDGMENT

## Rule 21 of the Employment Tribunals Rules of Procedure 2013

1. The respondent did not seek to contest the claim and was issued with a notice under Rule 21.
2. The complaint of unauthorised deductions from wages is well-founded. The respondent made unauthorised deductions from the claimant's wages in the periods as follows:

(a) 17/12/2022 to 03/01/2023

2 weeks and 2 days @ 150 gross per week - **£360.00 gross**

(b) 04/01/2023 to 02/07/2023 when the claimant was on sick leave and entitled to statutory sick pay which was unpaid

25.5 weeks @ £99.35 per week - **£2,533.42**

3. The respondent shall pay the claimant **£2,893.42**, which is the total gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.
4. The complaint in relation to unpaid pension contributions is dismissed as the Tribunal does not have jurisdiction to make such an award.
5. The claimant did not make any other complaints.

Employment Judge Battsby  
25 October 2023

**All judgments (apart from those under rule 52) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents**

**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.**