



EMPLOYMENT TRIBUNALS

Claimant: Mr O Smillie

Respondent: STR 48 Limited

Heard at: Croydon (by CVP)

On: 12 December 2023

Before: Employment Judge Richter

REPRESENTATION:

Claimant: In person

Respondent: No appearance

JUDGMENT

The judgment of the Tribunal is as follows:

Wages

1. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period 30 January 2023 to 26 February 2023.
2. The respondent shall pay the claimant **£684.20**, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.
3. The respondent shall also pay the claimant **£200** to compensate the claimant for financial loss attributable to the unauthorised deduction in respect of extra interest charges.

Failure to provide a written statement of employment particulars

4. When the proceedings were begun the respondent was in breach of its duty to provide the claimant with a written statement of employment particulars. There

are no exceptional circumstances. It is just and equitable to make an award of an amount equal to four weeks' gross pay. In accordance with section 38 Employment Act 2002 the respondent shall therefore, in addition to the sums above, pay the claimant **£1,140**.

**Employment Judge Richter
12 December 2023**

Judgment sent to the parties on:
19 December 2023

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For the Tribunal:

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Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 52) and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.