



EMPLOYMENT TRIBUNALS

Claimant Mr A Watcham
Represented by In person

Respondent EV Technology Group (UK) Ltd
Represented by Did not appear and was not represented

Employment Judge Ms A Stewart (sitting alone)

Held at: London Central by CVP **on:** 24 May 2024

JUDGEMENT

1 The Claimant's complaint, under section 23 of the Employment Rights Act 1996, that he has suffered unlawful deductions from his wages in the sum of £17,500.00 gross, is well-founded and succeeds.

2 Accordingly, it is ordered that the Respondent pay to the Claimant the sum of £17,500.00 gross, in respect of non-payment of his salary for the months of July and August 2023.

3 The Claimant undertakes to account to HMRC for due deductions for tax and National Insurance on this gross sum, as set out in the relevant payslips for these months.

4 The remainder of the claims contained in his ET1 are dismissed upon withdrawal by the Claimant.

Employment Judge A Stewart

Date 24 May 2024

Judgment sent to the parties on:

31 May 2024

.....
FOR THE TRIBUNAL OFFICE



Claimant	Mr A Watcham
Represented by	In person
Respondent	EV Technology Group (UK) Ltd
Represented by	Did not appear and was not represented

REASONS

Introduction:

1 The Claimant brings before the Tribunal claims for non-payment of 2 months wages, unspecified accrued holiday pay, shares and a severance package.

2 The Respondent has failed to enter a Response to the Claimant's claim and has failed to respond to the Tribunal's communications or to the Claimant.

3 The Tribunal decided to proceed with the hearing in the absence of the Respondent.

4 The Tribunal heard evidence on oath from the Claimant and had before it the Claimant's payslips for July and August 2023 and a letter of termination dated 23 August 2023 terminating the Claimant's contract on 31 August 2023.

The Facts

5 The Claimant worked for the Respondent as Head of Corporate Finance from 9 May 2022 until 31 August 2023 at a salary of £8,750 gross per month. (Net approx £5,683.00). He received his payslips for July and August 2023 but the net salary was not paid into his bank account for these 2 months. He raised this on the July due pay date with his line manager, David Maher, who told him that there were cash flow problems but that the money would be paid at the end of the month. When this did not happen, the Claimant followed up again. He was told that there was no cash for salaries but that the Respondent was looking at ways to pay staff.

6 The Claimant continued to chase payment during August and was told that the Respondent was exploring ways of paying staff. He has never received his last 2 months salary and to his knowledge at least 4 members of staff were terminated at the end of August, including himself, due to the Respondent becoming effectively insolvent.

Conclusions

7 The Tribunal was satisfied on all the evidence before it that the Claimant was not paid his last 2 months salary. He is unable to specify the amount of any accrued holiday pay owing or the value of any contractual agreement regarding shares or of a severance package.

8 The Claimant stated that he wanted to pursue his last 2 months pay but wished to withdraw the remainder of his claims.

9 Judgment is given accordingly.

Employment Judge A Stewart

Date 24 May 2024

Judgment sent to the parties on
31 May 2024

.....
FOR THE TRIBUNAL OFFICE
