



# EMPLOYMENT TRIBUNALS

**Heard at:** Croydon (By Video) **On:** 22 November 2023

**Claimant:** Ms Louise Paul

**Respondent:** Cyber Business Growth Limited (in Creditors Voluntary Liquidation)

**Before:** Employment Judge E Fowell

**Representation:**

**Claimant** No Appearance

**Respondent** No Appearance

## JUDGMENT

### Rule 21 – Judgment in default of a response to the claim

1. Although neither party attended the hearing, no response has been provided to the claim and, applying Rule 21(2) of the Employment Tribunal Rules of Procedure, it appears from the available material in the claim form that a determination may be made of its value, as follows.
  - (a) The claimant suffered an unlawful deduction from wages for the period 1 March to 10 May 2023.
  - (b) The gross monthly salary was £4,583.00 per month, hence £1057.62 per week, or £211.52 per working day.
  - (c) No salary was paid for March 2023, hence the sum due in respect of that month is £4,583.00.
  - (d) For April 2023, 15% of the salary was paid, hence the sum due (at 85%) in respect of that period is £3,895.55.
  - (e) For May 2023, the last day of employment was 10 May, and hence 8 normal working days were worked, amounting to £1,692.18
2. The total sum due is therefore the sum of **£10,170.73**

3. Applying the guidance in **Walters t/a Rosewood v Barik UKEAT/0053/16/BA**, the award for unlawful deduction from wages is a gross amount which the respondent can satisfy by payment to the claimant of the net amount due and payment to HMRC of any tax and national insurance which falls to be deducted at source.

Employment Judge Fowell

Date 22 November 2023