



EMPLOYMENT TRIBUNALS

Claimant: Mr Barker

Respondent: Strix Varia Ltd

Heard at London Central (by CVP)

On: 6 June 2024

Before Employment Judge Shukla (sitting alone)

Representation

Claimant In person

Respondent Did not appear

JUDGMENT

1. The complaint of unauthorised deductions from pay contrary to Part II Employment Rights Act 1996 is well-founded. The respondent made unauthorised deductions from the claimant's pay in respect of the period 1 February 2023 to 9 October 2023. The respondent did not pay the claimant any salary during this period, when £165,806 should have been paid (£20,000 for each month from February to September inclusive, plus $(9/31 \times £20,000)$ for 9 days in October). Instead, the respondent gave the claimant a loan of £10,000 during each month from February 2023 to May 2023 inclusive (£40,000 total – “the £40,000 loan”).
2. The respondent is ordered to pay to the claimant the gross sum of £165,806 less any sums deductible in relation to the £40,000 loan under clause 20(b) of the Service Agreement between the respondent (under its former name of Minerva Research Limited) and the claimant dated 14 June 2023 (“the Service Agreement”).
3. The respondent was in breach of contract for dismissing the claimant without a 3-month notice period as required under clause 13.1 of the Service Agreement, during which notice period the claimant would have been paid £60,000 gross. The respondent is ordered to pay the claimant £25,000, which is the maximum amount that can be awarded for breach of contract. This amount is likely to be taxable, as post employment notice pay.

Employment Judge Shukla
6 June 2024

JUDGMENT SENT TO THE PARTIES ON

12 June 2024

FOR THE TRIBUNALS

Notes

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.

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