



EMPLOYMENT TRIBUNALS

Claimant:
Mr C Meakin v

Respondent:
STR 48 Limited

JUDGMENT

RULE 21 EMPLOYMENT TRIBUNAL RULES OF PROCEDURE 2013

Upon the failure of the respondent to present a response to the claim in time, and upon the Employment Judge determining that the claim can be determined in full, including remedy, without a hearing, judgment is entered as follows:-

1. The claimant's claim for unlawful deduction from wages, accrued but untaken and unpaid holiday, and contractual pension contribution are well founded.
2. The respondent must pay the claimant –
 - 2.1. £1,836.16 in respect of wages which should have been paid between 28 November 2022 and 7 December 2022;
 - 2.2. £923.08 in respect of 4 days of holiday pay; and
 - 2.3. £55.38 in respect of the pension contribution.
3. The total which the respondent must pay the claimant is **£2,824.62**.
4. The sum should be paid in full, and the claimant will need to account to HMRC for the tax which is due to be paid on the sum.

REASONS

1. This case came before me in duty work on the papers today. The last document on the file was an e-mail from the claimant dated 5 September 2023 asking for an update and for a hearing to be listed to deal with the claim.

2. I do not know why there has been such a delayed response to that e-mail at the Tribunal's end. I can only apologise for what I assume must have been an administrative error.
3. The claim form describes a narrative which would fix liability on the respondent, and the claim is quantified in a manner which is justified by that narrative.
4. The ET3 response should have been filed by 15 May 2023. It was not filed until 24 May 2023. There was no application made to extend time to file a response, and so that response is rejected because no grounds are offered which may justify extending time. I have also not been asked to extend time.
5. Where there is no response filed on time, judgment may be entered under Rule 21 Employment Tribunal Rules of Procedure 2013. In my view, given the nature of the claim, and the absence of any application to extend time, it is proportionate to issue that judgment rather than have a hearing where the claimant would merely confirm his evidence and achieve the same result.
6. In this way, the case can be disposed of today without the time and cost of convening a hearing, therefore also freeing Tribunal resources to deal with other claims in the pressured system.

Employment Judge Fredericks-Bowyer

Dated: 17 July 2024

Sent to the parties on
23rd July 2024

For the Tribunal Office