



EMPLOYMENT TRIBUNALS

Claimant: Sefa Muhammet Koku

Respondent: Phoenix Human Resources Ltd

JUDGMENT UNDER RULE 21

1. The Respondent has failed to file an ET3 within the deadline and has not requested an extension of time to file the same.
2. Having considered the ET1 and documents provided by the Claimant, Employment Judge E Burns has decided that a determination of the claim can properly be made without a hearing and the Judgment of the Tribunal, made under rule 21 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, is as set out below.
3. The Respondent has unlawfully failed to pay the claimant the following:
 - wages for April 2023 in the sum of £2,000 gross;
 - pay for overtime worked in the sum of £2,946.50 gross;
 - in lieu of 9.6 days holiday pay (accrued but not taken) in the sum of £886.17 gross
4. Accordingly, the Respondent is ordered to pay **£5,832.67** to the Claimant and to account to HMRC for any tax and NI due on this sum.
5. The Respondent has also breached the Claimant's contract by failing to reimburse the Claimant for expenses in the sum of **£566.95**. it is therefore ordered to pay him this amount, which is not subject to tax or NI, in addition.
6. The total payable is **£6,399.62**

7. The hearing due to take place on 29 October 2024 will not proceed and the parties do not need to attend.

Employment Judge E Burns

Date: **18 October 2024**

Sent to the parties on:

25 October 2024

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For the Tribunal:

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