



EMPLOYMENT TRIBUNALS

Claimant: Mr Igor da Cruz

Respondent: Sona Mandhira International

Heard at: London Central (CVP)

On: 13 November 2024

Before: Tribunal Judge Peer acting as an Employment Judge

Representation:

Claimant: In person

Respondent: No appearance

JUDGMENT

Employment Tribunal Procedure Rules 2013 – Rule 21

- (1) The respondent having failed to attend the hearing or defend the claim issued on 12 September 2024:
 - a. discretion is not exercised to postpone the hearing under rule 30A(2) of the Employment Tribunal Procedure Rules 2013;
 - b. the respondent has failed to make an application for an extension of time to defend the claim which complies with rule 20 of the Employment Tribunal Procedure Rules 2013 and an extension of time is refused;
 - c. a determination can properly be made of the claim in accordance with rule 21 of the Procedure Rules.
- (2) The respondent failed to give the claimant written itemised pay statements as required by section 8 Employment Rights Act 1996 in the period from April to July 2024.
- (3) The complaint of unauthorised deductions from wages is well-founded.
- (4) The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant his wages for the months of April, May and June 2024.

- (5) The respondent is ordered to pay the claimant £18,750.00, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.
- (6) The respondent made an unauthorised deduction from the claimant's wages by deducting the amount of £440.28 (£146.76 x 3) from the claimant's wages for the months of January, February and March 2024 where such deduction was only authorised for the purpose of employee pension contribution and the amount was not so allocated and is ordered to pay the sum of £440.28.
- (7) The respondent was in breach of contract for failing to make employer pension contributions for the months of January, February, March, April, May and June 2024 and is ordered to pay the claimant £660.42 (£110.07 x 6) as damages for the breach of contract.
- (8) The respondent is therefore ordered to pay the claimant the total sum of **£19,850.70** (£18,750.00 + £440.28 + £660.42).

Tribunal Judge Peer acting as an Employment Judge

Date 13 November 2024

JUDGMENT SENT TO THE PARTIES ON

21 November 2024

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FOR THE TRIBUNAL OFFICE