



EMPLOYMENT TRIBUNALS

Claimant Ms T Dohrer
Represented by In person

Respondent Investique Grp Ltd t/a Investique
Represented by Did not appear and was not represented

Employment Judge Ms A Stewart (sitting alone)

Held at: London Central by CVP **on:** 27 November 2024

JUDGEMENT

1 **The Claimant's complaint, under section 23 of the Employment Rights Act 1996, that she has suffered unlawful deductions from her wages in the sum of £24,028.77 pence, net, is well-founded and succeeds.**

2 **Accordingly, it is ordered that the Respondent pay to the Claimant the sum of £24,028.77 pence, in respect of under-payment of her net salary for the period 1 September 2023 until 14 April 2024, plus 1 week's statutory notice pay, to 21 April 2024.**

3 **It is also ordered that the Respondent pay to the Claimant the following sums, being direct consequential losses resulting from the non-payment of her wages:**

- (i) **Bank overdraft charges of £295.27 pence and late payment fees of £40.00, being a total of £335.27 pence;**
- (ii) **Relocation costs of £868.49 pence;**

Totalling £1,203.76 pence.

Employment Judge A Stewart

Date 27 November 2024

Judgment sent to the parties on

4 December 2024

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FOR THE TRIBUNAL OFFICE



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Respondent	Investique Grp Ltd t/a Investique
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REASONS

Introduction:

1 The Claimant is a litigant in person and brings before the Tribunal a claim for non-payment of her wages during the period of her employment, plus consequential losses resulting directly from the non-payment.

2 The Respondent failed initially to enter a Response to the Claimant's claim.

3 A full merits hearing was listed before the Tribunal on 15 August 2024, at which Mr J Coggings, director and owner of the Respondent, attended. On that occasion Mr Coggings denied all knowledge of the claim (disputed by the Claimant) and the Tribunal converted the hearing to a case management hearing for 2 reasons:

(i) In order to give the Respondent time to make an application, within a further time period set by the Tribunal, for permission to enter a Response out of time, and

(ii) Because the Claimant was in Germany and did not have permission to give evidence from Germany.

4 The Tribunal explained all of these matters to both parties, issued Case Management Orders accordingly and listed a further Full Merits Hearing for today.

5 The Respondent has failed to apply to enter a Response out of time, within the time limit set or at all, has failed to enter a Response and has not communicated with the Tribunal or with the Claimant since the previous Tribunal hearing.

6 The Tribunal today was satisfied that the Respondent was well aware of all of the above matters, had failed to enter a Response to the claim and has not sought to postpone today's hearing. The Claimant has flown into the UK

especially for today's hearing, in order to give evidence in person. Accordingly the Tribunal decided to proceed to hear the case in the Respondent's absence.

7 The Tribunal heard evidence on oath from the Claimant and had before it a bundle of documents supplied by the Claimant. Ms T Krcelic attended with a witness statement in order to give evidence for the Claimant, but the Tribunal was unable to receive her evidence because she was located in Germany.

The Facts

8 The Claimant was employed by the Respondent as a PA to Mr Coggings/the Respondent between 1 September 2023 and 14 April 2024 at a salary of £55,000.00 p a. This amounts to £4,583.30 gross per month and £3,412.00 net in 2023 and £3,475.00 net in 2024, at prevailing tax rates.

9 She was in fact only paid the following sums: £150.00 on 20 February 2024, £500.00 on 26 February 2024, £1,000.00 on 11 March 2024, 300.00 on 25 March 2024 and £500.00 on 2 April 2024. She was never given a written contract of employment and never given any payslips.

10 The Claimant trusted Mr Coggings' reassurances and promises of incoming funds and business expansion success because she and he had previously been good friends and she trusted his word and also because his behaviour, in interviewing for new staff, searching for new offices, rebranding and planning for the printing of 250,000 brochures, appeared to confirm what he was saying.

11 All of the text messaging and email documentation before the Tribunal showed that the Claimant continued to chase for payment of her salary throughout her employment, ever more urgently with passing time, and Mr Coggings making promises and assurances in response, interspersed with periods of silence. There was no indication at any stage that Mr Coggings disputed the Claimant's demands for payment of her wages.

12 The Claimant over time got into debt, was unable to pay her rent and was evicted from her flat, therefore losing all credible credit rating and was therefore unable to apply for any other accommodation in London and had no money, in any event, for a deposit. The London rental market is entirely unforgiving in these circumstances.

13 The Claimant, a German national, who had lived and worked in the UK for 9 years, was therefore left with no choice but to pack up her belongings and return home to Germany and try to find work there.

Conclusions

14 The Tribunal was satisfied on all the evidence before it that the Claimant is entitled to payment of her unpaid net salary, plus one weeks

statutory notice pay, being £26,478.77, less the sum of £2,450.00 which she was actually paid. This amounts to a total of £24,028.77 pence net still owing.

15 The Tribunal was also satisfied on the evidence before it that the Respondent's non payment of the Claimants wages had caused her to incur bank charges and late payment fees totalling £335.27 pence and that, against her will, she had been forced to return home to Germany, incurring removal costs of £588.00 plus air fares of £280.49 – the latter sum including 3 suitcases as hold luggage, as a cheaper option than further removal costs. Totalling £868.49 pence.

16 Judgment is given accordingly.

Signed: Employment Judge A Stewart

Employment Judge

Date 29 May 2024

Judgment sent to the parties on

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FOR THE TRIBUNAL OFFICE
