



EMPLOYMENT TRIBUNALS

Claimant: Mr Ben Dobson

Respondent: Gordano Limited

Heard at: Southampton (by CVP)

On: 27 June 2025

Before: Employment Judge Yallop

REPRESENTATION:

Claimant: In person

Respondent: Did not attend

JUDGMENT

The Respondent having failed to enter a valid response to the claim within the time limit prescribed by rule 16(1) of the above rules, a hearing was listed to determine remedy.

The judgment of the Tribunal is as follows:

Wages

1. The complaint of unauthorised deductions from wages is well-founded. The Respondent made an unauthorised deduction from the Claimant's wages in the period 31 October 2023 to 22 March 2024 by failing to pay the amount the Claimant was entitled to receive by way of salary.
2. The Respondent shall pay the Claimant **£16,109.22**, which is the gross sum deducted. The Claimant is responsible for the payment of any tax or National Insurance.
3. This figure has been calculated as follows:
 - a. October 2023 – the Claimant received half of his salary, so the deduction was his gross monthly pay of £3,083.33 divided by 2 = £1,541.67.

- b. November 2023 to February 2024 - the Claimant did not receive any pay, so the deduction was his gross monthly pay of £3,083.33 x 4 = £12,333.32.
- c. March 2024 – the Claimant has claimed deductions up to 22 March 2024, so his claim is for 3.14 weeks. He is therefore entitled to receive his gross annual salary of £37,000 divided by 52 weeks x 3.14 weeks = £2,234.23.
- d. $£1,541.67 + £12,333.32 + £2,234.23 = £16,109.22$.

Pension

- 4. The complaint of unauthorised deductions from wages is well-founded. The Respondent made an unauthorised deduction from the Claimant's wages in the period 30 September 2022 to 31 October 2023 by deducting employee pension contributions and then not paying those contributions into a pension scheme on the Claimant's behalf.
- 5. The Respondent shall pay the Claimant **£1,248.75**, which is the gross sum deducted. The Claimant is responsible for the payment of any tax or National Insurance.
- 6. This figure has been calculated as follows:
 - a. The Claimant's employee pension contribution was 3% of his salary.
 - b. For the 13 months from September 2022 to September 2023 inclusive his contribution was £3,083.33 divided by 100 x 3 = £92.50 a month x 13 months = £1,202.50.
 - c. In October 2023, the Claimant was paid £1,541.67. His contribution was therefore £1,541.67 divided by 100 x 3 = £46.25.
 - d. $£1,202.50 + £46.25 = £1,248.75$
- 7. The Claimant confirmed that he remains employed by the Respondent. The complaint in respect of breach of contract in failing to pay employer pension contributions is therefore dismissed because the Tribunal does not have jurisdiction to hear it.

Employment Judge Yallop
Date: 27 June 2025

Judgment sent to the parties on
29 July 2025

Jade Lobb
For the Tribunal

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 51) and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.