



EMPLOYMENT TRIBUNALS

Claimant: Mr J Cox
Respondent: The Sure FX Group Limited
Heard at: London East Hearing Centre (in public, by video)
On: 8 September 2025
Before: Employment Judge Moor

Representation

Claimant: did not appear
Respondent: did not appear

JUDGMENT

1. The complaint of unlawful deduction of wages is well-founded and succeeds.
2. The Respondent must pay to the Claimant £2779.69.
3. The claim for a redundancy payment is not well-founded and does not succeed.

REASONS

1. The claimant was employed as an outbound call agent by the Respondent from 21 October 2024 until 28 November 2024 when his employment terminated by reason of redundancy.
2. The claim for unpaid wages, for the whole period of employment, and a redundancy payment, was presented on 31 March 2025, after a period of ACAS Early Conciliation between 14 February 2025 and 5 March 2025.

3. A Notice of Claim was sent to the Respondent at the correct address as at that date on 12 April 2025 (E14 1AB). The Respondent company's registered address subsequently changed on 12 May 2025 but that, in my judgment, does not mean it was not properly served. The deadline for responding was 10 May 2025. No response has been received.
4. A Notice of hearing was sent on 12 April 2025, but the Claimant informed my clerk this morning that he was unaware of it. He could not attend today because he was working.
5. Under Rule 22 (2) of the Employment Tribunal Rules of Procedure 2024, where a response has not been presented within the relevant time: *(2) The Tribunal must decide whether on the available material (which may include any further information which the parties are required by the Tribunal to provide), a determination can properly be made of the claim, or part of it. To the extent that a determination can be made, the Tribunal must issue a judgment accordingly,*
6. In my judgment the Claimant has provided all the necessary information on the claim form: his dates of working and the amount of money he states is due and owing. He was paid £2209.50 net per month and is owed £2779.69 for the period for which he worked. I must therefore issue judgment according to Rule 22(2).

Legal Principles

7. A worker has the right not to suffer a deduction of wages under section 13 of the Employment Rights Act 1996 (ERA). Section 13(3) provides that a deduction occurs when wages paid are less than the wages 'properly payable'.
8. Under section 23 a claim for such a deduction may be brought before the Employment Tribunal within 3 months of the date of the deduction (allowing for Early Conciliation).
9. An employee has a right to a redundancy payment only after 2 complete years' service, section 155 ERA.

Analysis

10. The unpaid wages claim was brought within the time limit set out in section 23 ERA. The Claimant was not paid wages of £2779.69 and his claim therefore succeeds.
11. The Claimant was not entitled to a redundancy payment: on his own case he was not employed for 2 complete years. I therefore dismiss his claim for a redundancy payment.

Notes

12. The claim suggested the company was in voluntary liquidation, but a Companies House search does not show this or identify any liquidator. As such the Claimant may have misunderstood the company's position.
13. A search of the Respondent on Companies House shows that there was a strike out proposal against the company date 24 June 2025. The Claimant was unaware of this and may wish to object to it if it is not too late to do so.

Employment Judge Moor
Dated: 8 September 2025