



EMPLOYMENT TRIBUNALS

Claimant: Mr J Mola

Respondent: Barworks Ltd

Heard at: CVP Remote Hearing, London East

On: 25th and 26th September 2025

Before: Employment Judge Lambert

Appearances:

For the Claimant: in person

For the Respondent: Miss Schoenberger, Head of Operations

JUDGMENT

1. The complaint of unlawful deduction from wages succeeds. The Claimant was entitled to receive normal pay during the period of suspension. The parties agreed the sum of **£2,128.28 gross**. This will be subject to deductions for PAYE in the usual way.
2. The Tribunal does not have jurisdiction to hear the complaint of unfair dismissal because the Claimant did not have 2 years' service at the effective date of termination as required by Section 108 of the ERA. This claim is dismissed.
3. The complaint of victimisation under Section 27 of the Equality Act 2010 is not well-founded and is dismissed.

4. The Respondent was entitled to dismiss the Claimant for gross misconduct and his claim for wrongful dismissal/breach of contract is not well-founded and is dismissed.

Approved by:
Employment Judge Lambert
Dated: 26th September 2025

Notes

Written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

Judgments 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.