



EMPLOYMENT TRIBUNALS

Claimant: Mr M Kaye
Respondent: Imperial Catering Services Limited

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

The claim was issued in the Leeds Employment Tribunals on 28 July 2022. The respondent has failed to present a valid response in time. The Employment Judge has decided that a determination can properly be made of the claim in accordance with rule 21 of the Rules of Procedure.

1. The Tribunal declares that the respondent has made an unauthorised deduction from the claimants wages in relation to:
 - a. 4 weeks' wages and is ordered to pay the claimant the sum of £1537.32 (net of tax and national insurance).
 - b. 1 week and 5 days wages (notice period) and is ordered to pay the claimant the sum of £544.46 (net of tax and national insurance).
2. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the sum of £640.55 (net of tax and national insurance)
3. The Tribunal has no jurisdiction to award compensation for failure to be enrolled in a pension scheme by an employer as part of a claim for unauthorised deductions from wages, as these are not included in the statutory definition of 'wages'.
4. The Tribunal has no jurisdiction to award compensation for stress as part of a claim for unauthorised deductions from wages.
5. The claimant has confirmed during a case management hearing on 26 September 2022 that he does not bring a claim for detriment as a result of public interest disclosure.

Employment Judge K Armstrong

Date: 26 September 2022

JUDGMENT SENT TO THE PARTIES ON

5 October 2022
AND ENTERED IN THE REGISTER

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FOR THE TRIBUNAL OFFICE