



EMPLOYMENT TRIBUNALS

Claimant

Respondents

Ms Vanessa Artunduaga

v

Markcon Limited

Heard at: London Central (by CVP)

On: 24 – 25 February 2022

Before: Employment Judge Lewis

Representation

For the Claimant: Mr A Blick, union representative

For the Respondent: Mr J. Javed, director

JUDGMENT

1. The response is struck out under rule 37(1)(b) because the manner in which the proceedings have been conducted by the respondent is unreasonable, and alternatively under rule 37(1)(c) for non-compliance with tribunal orders.
2. The respondent was in breach of its duty under section 8 of the Employment Rights Act 1996 to provide the claimant with itemised pay statements with her pay.
3. The claimant was an employee employed by the respondent from 28 September 2020 to 31 May 2021. She was paid the following net sums on the dates set out below, but she was not given itemised pay statements. In accordance with sections 8, 11 and 12 of the Employment Rights Act 1996, the tribunal finds the particulars which ought to have been included in the pay statements are as follows –

29.10.20 statement
£700 gross; £700 net. No deductions

30.11.20 statement
£700 gross; £700 net. No deductions

24.12.20 statement
£1050 basic rate (additional hours) net
£608 commission net
£300 bonus net
No deductions

29 January 2021 statement
£800 gross; £800 net. No deductions

26 February 2021 statement
£800 gross; £800 net. No deductions

30 March 2021 statement
£1280 gross
£1100 net
£180 deduction NI in this employment this tax year

30 April 2021 statement
£800 gross; £800 net. No deductions

28 May 2021 statement
£800 gross; £800 net. No deductions

Employment Judge Lewis – 25th Feb 2022

Sent to the parties on:
25/02/2022.....

For the Tribunals Office

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.