



EMPLOYMENT TRIBUNALS

Claimant: Mr J Stevanovic

Respondent: Craig Robinson

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claim of unlawful deduction of wages (arrears of pay) is well-founded and succeeds.
 - 1.1. The Respondent is ordered to pay to the Claimant the gross sum of **£562.72**.

REASONS

1. On 29 April 2022, the Claimant presented a Claim Form to the Tribunal in which he brought a complaint of unlawful deduction of wages (under section 23 Employment Rights Act 1996), identifying Mr Robinson as his employer.
2. The proceedings were served on the Respondent at the address provided by the Claimant with a response date of 13 June 2022. However, no response was served.
3. Under rule 21 of the Tribunal Rules of Procedure 2013, where on the expiry of the time limit in rule 16 no response has been presented and no application for a reconsideration is outstanding, an employment Judge shall decide whether on the available material, a determination can properly be made of the claim or part of it. If there is, the judge shall issue a judgment, otherwise a hearing must be fixed before a judge alone.
4. As at the date of termination of employment, the Claimant had not been paid gross salary of £562.72 in respect of 51.16 hours work (at £11 an hour) in the week commencing 07 March 2022. By the date of termination of the Claimant's employment the wages, which were by then properly payable, had not been paid. Mr Robinson had agreed to pay the wages to the Claimant by 06 April 2022 but failed to do so.
5. In the absence of any response from Mr Robinson, I was satisfied that I had sufficient information to enable me to conclude that the wages of £562.72 were properly payable

on termination and that the Respondent had failed to pay those wages. Therefore, I was able to issue a judgment against the Respondent.

Employment Judge **Sweeney**

Date: 15 June 2022

