



# EMPLOYMENT TRIBUNALS

**Heard at:** Croydon (by video) **On:** 4 November 2024

**Claimant:** Mr Gary Wogan

**Respondent:** Anytime Repairs Limited

**Before:** Employment Judge E Fowell

**Representation:**

**Claimant** In Person

**Respondent** Mr Alan Williams, Peninsula Legal Services Limited

## JUDGMENT

1. The response having been rejected by letter dated 25 June 2024, the respondent's application for reconsideration made at this hearing was refused.
2. Damages due to the claimant were assessed at this hearing. The claimant accepted that the main claim for unlawful deduction from wages in the sum of £1152 had been paid and the only outstanding wages were in relation to the claimed £513 of overtime.
3. Accordingly, the claimant suffered an unlawful deduction from wages in the sum of £513.
4. This award falls within the definition of earnings at section 62 of the Income Tax (Earnings and Pensions) Act 2003. Accordingly, the respondent is obliged to treat it as wages and to account to HMRC for any tax and national insurance. The net amount is to be paid directly to the claimant.

Employment Judge Fowell

Date 4 November 2024

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<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>