



EMPLOYMENT TRIBUNALS

Claimant: Mrs M Gharakhan Garcia
Respondents: (1) Warren (2) Landmark Clinic Limited
At: Central London Employment Tribunal
Before: Employment Judge N Joffe

JUDGMENT

1. The respondents have failed to file ET3s Grounds of Resistance in these cases.
2. Having considered the ET1s, EJ Joffe has decided that a determination of the claims can properly be made without a hearing and **the hearing listed for 18 December 2019 will not take place.**
3. The Judgment of the Tribunal, made under rule 21 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, is that the second respondent unlawfully failed to pay wages to the claimant. The first respondent appears to be the claimant's manager and not her employer and so the Tribunal does not have jurisdiction to hear an unlawful deductions claim against the first respondent.

Compensation

4. The second respondent is ordered to pay to the claimant:
 - 4.1 Wages of £1454 net unpaid salary from the month of March 2019
5. The second respondent is ordered to account to HMRC for any tax due on the above sum.
6. The Tribunal does not have jurisdiction to hear the claim for interest / indemnity and the claimant has not given details of any consequential loss she has sustained as a result of the unlawful deduction.
7. The hearing on 18 December 2019 is vacated and the parties should not attend.

Employment Judge Joffe
Dated: 17 December 2019

Sent to the parties on:
17 December 2019

For the Tribunal: