



EMPLOYMENT TRIBUNALS

Claimant: Mr Daniel Marsden

Respondent: Pan Motorcycles Ltd

Heard at: London South Tribunal **On:** 2nd August 2021 **by:** CVP

Before: Employment Judge Clarke (sitting alone)

Representation

Claimant: In person

Respondent: Not attending

JUDGMENT

- (1) The Respondent's application for a postponement sent by e-mail dated 2nd August 2021 is refused.
- (2) The Claimant's claim that the Respondent had made an unlawful deduction from his wages pursuant to section 13(1) of the Employment Rights Act by failing to pay him the national minimum wage pursuant to the National Minimum Wage Act 1998 and the National Minimum Wage Regulations 2015 is well founded. This means that his claim succeeds.
- (3) The Respondent is ordered to pay to the Claimant the **sum of £1,334.67 (gross)** calculated as follows:

For March 2020:

40 hours per week at National Minimum Wage of £7.70 = £1,334.67

Less paid: £1,066.00

Total underpaid: £268.67

For April, May and June 2020:

40 hours per week at National Minimum Wage of £8.20 (£1,421.33pcm) x 3 months = £4,264.00

Less paid: £1,066.00 x 3 = £3,198.00

Total underpaid: £1,066.00

Employment Judge L Clarke

Date: 2nd August 2021

Judgment sent to the parties and entered in the Register on:

Date: 3rd August 2021

The reasons for this decision were given orally at the hearing. Written reasons will not be provided unless they are asked for by a written request presented by any party within 14 days of this written judgment being sent to the parties.

Public access to employment tribunal decisions

Note that both judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the parties.