



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4105409/2022

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Final hearing held on the  
Cloud Video Platform

Employment Judge A Jones

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Mr R Anderson

Claimant  
In person

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Perfect Fit Scotland Ltd

Respondent  
No appearance

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The respondent unlawfully deducted the sum of £536 net from the claimant's wages  
25 contrary to section 13 Employment Rights Act 1996 and is ordered to pay to the  
claimant the sum of £536 net in compensation..

REASONS

1. The claimant lodged a claim on 5 October 2022 claiming that the respondent  
had made unlawful deductions from his wages. The respondent did not enter  
30 an Notice of Appearance in response to the claim.
2. A final hearing took place. The claimant explained that his normal weekly pay  
was £666 gross and that 20% CIS (Construction industry scheme) tax was  
deducted as he had been registered by the respondent as a sub-contractor  
and paid tax under that scheme. Various efforts had been made by the  
35 claimant to recover the week's lying time withheld by the respondent on the  
termination of the claimant's contract without success. The claimant provided  
text messages which indicated that the respondent accepted that these sums

were due and that they would be paid, although no payment has ever been made.

3. In these circumstances, the Tribunal determined that the respondent had unlawfully deducted one week's pay from the claimant's wages which amounted to £536 net. There was no valid reason for the respondent to withhold these sums and this amounts to an unlawful deduction from the claimant's wages in terms of section 13 Employment Rights Act 1996. The respondent is therefore ordered to pay the claimant £536 in compensation.

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**Employment Judge: A Jones**  
**Date of Judgment: 13 February 2023**  
**Entered in register: 15 February 2023**  
**and copied to parties**

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