



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss L Kwesiga  
**Respondent:** Rujia Marketing Consultants Limited

**Heard at:** By CVP                      **On:** 20 March 2023  
**Before:** Employment Judge JM Wade

## Appearances

For the claimant: In person  
For the respondent: No attendance

## RULE 21 JUDGMENT

The claimant's complaint of an unlawful deduction from her wages succeeds. The respondent shall pay to her the gross sum of £805.90 in respect of unpaid wages declared to HMRC in a pay slip, but not in fact paid to her.

## REASONS

1. The claimant worked for the respondent from 21 July 2022 until she received a communication terminating her employment on 14 September 2022. Her last shift was on Monday 5 September 2022. She commenced conciliation on 17 December, with a certificate issued on 22 December and she presented her claim on 22 December 2022. Payment of final wages was due on 10 October 2022 at the very latest. Wages remained unpaid on that date, despite the claimant contacting the employer in different ways.
2. I made the findings above having heard sworn evidence from the claimant today. The respondent had not presented a response, but a legal officer had identified that the claim form details indicated the claim may have been presented outside the requisite time limits. Having heard from the claimant today I find it was clear that payment for her last shift on Monday 5 September should have been paid, at the latest, in the payroll run on 10 October 2022, and her claim was therefore presented in time, given that payment was not made on or around that date.
3. I also take into account that between 10 September (when there was also a failure to pay) and 12 October 2022 the claimant was misled by reassurances that payment was to be made. Having satisfied myself that the claim has been presented within the

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relevant time limit (as an unlawful deductions from wages complaint) there is enough information on the file for me to give judgment, there being no response presented.

Employment Judge JM Wade

Date: 20 March 2023