



# EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**

**AND**

**Respondent**

**MR E DE MAIO**

**FINTRICITY SOLUTIONS LTD**

**Heard at:** London Central

**On:** 21 January, 2020

**Before:** Employment Judge O Segal QC

## **Representations**

**For the Claimant:** In person

**For the Respondent:** Did not attend

## **JUDGMENT**

- (1) The Claimant's claims for unpaid wages and notice pay succeed, in the sums of:
  - a. £8,495.52 unpaid wages; and
  - b. £2,614 for notice pay.
- (2) The Respondent is to pay the above sums to the Claimant within 14 days.

**REASONS**

1. I accepted the Claimant's evidence that, having worked for the Respondent since August 2018, he worked unpaid between March and May 2019 inclusive.
2. This was consistent with the Respondent's ET3, which accepted that it had not had the money to pay its employees.
3. The Claimant's contract, which I was shown, provided for a 4 week notice period on either side once the initial 6 month probation period had successfully expired (which it had). I calculated the sum due in that regard by multiplying the net monthly salary by 12 and dividing the total by 13.
4. It seems fairly obvious that the Respondent is insolvent and the Claimant will very likely have to apply to the Secretary of State, pursuant to s. 182 Employment Rights Act 1996 to obtain partial compensation for those unpaid sums.

Employment Judge Segal QC

21 January 2020\_\_\_\_\_

JUDGMENT & REASONS SENT TO THE PARTIES ON

22/1/2020

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FOR THE TRIBUNAL OFFICE