



EMPLOYMENT TRIBUNALS

Claimant: Mr J Marfo

Respondent: Tax Free 4 U Limited & Others

Heard at: London Central

On: 11 October 2018

Before Judge: Employment Judge A Isaacson

Representation

Claimant: Not in attendance

Respondents: Mr R Khalilov, Solicitor

JUDGMENT

The Judgment of the Tribunal is as follows:

Mr Marfo's claim for outstanding wages fails and is dismissed.

REASONS

1. Mr Marfo's claim form was presented on the 8 March 2018 together with three other claimants. Mr Marfo claimed outstanding wages of £387.70 and claimed bullying and harassment.
2. At a preliminary hearing before Judge Grewal on 23 August 2018, at which Mr Marfo was present, it was explained to the claimants that the Tribunal did not have jurisdiction to hear claims of bullying and harassment unless it was related to a protected characteristic. If the claimants wanted to pursue a claim of race discrimination then they needed to provide particulars of that claim and make an application to amend their claims. No application was received by the Tribunal. All claims of bullying and harassment were dismissed.
3. Therefore, Mr Marfo's remaining claim before the Tribunal is for outstanding wages. Mr Marfo was ordered to provide a breakdown of the sum he was owed

and the basis for the calculation by 7 September 2018.

4. The respondents set out in their response form that Mr Marfo had received all his wages.
5. On the 1 October 2018 the respondents' representatives wrote to the Tribunal confirming that Mr Marfo had failed to comply with the Tribunal order and provided a schedule of payments made to Mr Marfo. The schedule shows that Mr Marfo was paid £387.70 on the 31 January 2018.
6. Mr Marfo did not attend the full hearing today. He did not write to the Tribunal or comply with the preliminary orders.
7. The Tribunal accepts the evidence provided by the respondents that Mr Marfo was paid £387.70 on the 31st January 2018. The Tribunal finds that the claimant is not owed any monies by the respondents and therefore his claim for outstanding wages fails and is dismissed.
8. The respondents made an application for costs against Mr Marfo but failed to provide any details in support of their application. The Tribunal has set out in an order that the respondents provide in writing their reasons why their application should be granted by the 22 October 2018.
9. Mr Marfo is ordered to provide his reasons why an order for costs should not be made by 5 November 2018.
10. Both parties' written arguments will be considered by the Tribunal hearing the preliminary hearing on the 8 November 2018.

Employment Judge Isaacson

Date 11. October 2018

JUDGMENT & REASONS SENT TO THE PARTIES ON

15 October 2018

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FOR THE TRIBUNAL OFFICE