

YG



## THE EMPLOYMENT TRIBUNALS

**Claimant:** Miss D Slade

**Respondent:** Citrus Fresh Services Limited

**Heard at:** East London Hearing Centre    **On:** 11 December 2017

**Before:** Employment Judge Foxwell (sitting alone)

### Representation

Claimant: In person

Respondent: No attendance

## JUDGMENT

1. The Respondent has made an unauthorised deduction from the Claimant's wages and is ordered to pay the Claimant the net sum of £679.40.
2. The Respondent has failed to pay the Claimant's holiday entitlement and is ordered to pay the claimant the gross sum of £801.
3. The Respondent is ordered to pay the Claimant 4 weeks' pay in the sum of £830 pursuant to section 38 of the Employment Act 2002.
4. The total of the above awards is **£2,310.40**.

## REASONS

1. The Claimant, Miss Dawn Slade, was employed by the Respondent, Citrus Fresh Services Limited, as a cleaner. On 9 September 2017, she presented complaints to the Tribunal of unlawful deduction from wages, failure to pay holiday pay and failure to provide written particulars of employment. Her employment had ended on 2 August 2017.

2. The proceedings were served on the Respondent by the Tribunal but the Respondent failed to enter a response and on 23 October 2007 judgment was entered against it under Rule 21 of the Employment Tribunal's Rules of Procedure. The matter has now come before me to determine the remedy to which the Claimant is entitled. The Respondent has not attended this hearing.

3. I make the following findings of fact on the balance of probabilities based on the Claimant's evidence which I accept.
4. I find that the Claimant earned £900 gross per calendar month, £740 net. Her gross weekly pay was £207.50.
5. Despite the Claimant's repeated requests, the Respondent failed to provide her with written particulars of employment as required under Part I of the Employment Rights Act 1996. Accordingly, I am satisfied that it is just and equitable to award 4 weeks' pay in the sum of £830 for this failure pursuant to section 38 of the Employment Act 2002.
6. I find that the Respondent unlawfully withheld the Claimant's net pay for July 2017 in the sum of £679.40 and I award her that sum
7. I find that the Respondent failed to pay the Claimant for 10 days holiday taken in July and August 2017 and award £300 under this head at a daily rate of £30. I also accept her evidence that at the date when her employment ended she had accrued 16.7 days untaken leave and I award a further £501 under this head at the same daily rate.
8. The total of my awards is £2310.40.

Employment Judge Foxwell

11 December 2017