



EMPLOYMENT TRIBUNALS

Claimant: Ms S Devi

Respondent: First Link Healthcare Limited

HELD AT: Nottingham **ON:** 19 July 2019

EMPLOYMENT JUDGE Batten (sitting alone)

Representation

For the Claimant: In person

For the Respondent: No attendance

JUDGMENT

The judgment of the tribunal is that the respondent shall pay to the claimant the total sum of £1,020 comprising:

1. unpaid wages in the gross sum of £740; and
2. holiday pay due at the termination of the claimant's employment in the gross sum of £280.

REASONS

1. The claimant submitted a claim to the Employment Tribunal on 4 February 2019, claiming that she had not been paid wages due to her for work done in the 3 weeks prior to her employment ending and that there were other monies outstanding and owing to her by the respondent when her employment ended. The respondent did not submit a response to the claim. A default Judgment was therefore issued in relation to all the claimant's claims on 11 June 2019 and the case was listed for a remedy hearing.

Evidence

2. The claimant presented a copy of her written contract of employment and copies of emails and text messages between herself and the respondent concerning the money owed to her for work done. In addition, the claimant had a copy of a driving rota setting out her tasks and the timing of them for one day.
3. The claimant gave evidence that she worked for the respondent from 19 September until 12 December 2018. She was contracted to work for a minimum of 20 hours per week at a rate of pay of £10 per hour although she regularly worked additional hours as the respondent demanded. The claimant took no holiday during her employment with the respondent.

Conclusions

4. The claimant claims 3 weeks' unpaid wages as set out in the ET1 section 8.2. At a rate of £10 per hour for 20 hours per week, the claimant is owed £600 gross wages.
5. The claimant also claimed wages for 14 extra hours worked undertaking the driving rota. That is a total of 14 hours, being £140 gross wages due.
6. The claimant had taken no holidays during her employment. Accordingly, pursuant to the provisions of the Working Time Regulations 1998, Regulation 14, the claimant is entitled to payment for accrued untaken holiday entitlement of 7 days being 28 hours' pay which equates to £280 gross holiday pay.
7. The claimant is therefore owed gross wages of £1,020.

Employment Judge Batten

19 July 2019

JUDGMENT SENT TO THE PARTIES ON

.....
FOR THE TRIBUNAL OFFICE