



EMPLOYMENT TRIBUNALS

Appellant

Respondent

Mr M Tayib

v

HCL Social Care Limited

At: London Central Employment Tribunal

On: 13 January 2020

Before: Employment Judge E Burns

DEFAULT JUDGMENT UNDER RULE 21

1. The respondent has failed to file an ET3 Grounds of Resistance in this case.
2. Having considered the ET1, Employment Judge E Burns has decided that a determination of the claim can properly be made without a hearing and the Judgment of the Tribunal, made under rule 21 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, is as set out below.
3. The claimant's claim is for unpaid wages. The respondent initially informed him that he would be paid at an hourly rate of £15.77 during night shifts. After he had worked several night shifts, the respondent clarified that the correct rate for night shifts was £25 per shift.
4. The claimant accepts that from the date he was provided with this clarification, he was only entitled to £25 for each night shift. He is, however, legitimately claiming payment for the nightshifts he worked prior to the date of this clarification.
5. The claimant has calculated his entitlement to the night shifts he worked as coming to £750. The respondent is therefore ordered to pay **£750** to the claimant.
6. The hearing listed for 14 January 2020 will not take place.

Employment Judge E Burns
13 January 2020

Sent to the parties on:

Case Number: 2203237/2019

13 January 2020

For the Tribunals Office