



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

Mr Hardy

v

Refined Coachworks Ltd

## JUDGMENT

The Tribunal declares that the Respondent made unlawful deductions from the Claimant's wages and Orders the Respondent to pay the sum of **£2,423.06** (gross) to the Claimant in respect of such deductions.

## REASONS

1. On 13 July 2021, the Claimant presented a claim form to the Employment Tribunals following Acas Early Conciliation between 6 and 9 July 2021.
2. The Claimant claimed that he was owed unpaid wages for days worked by him in June 2021, before he resigned his employment with the Respondent on 23 June 2021. The Claimant additionally claims that he is owed salary in lieu of accrued, but untaken, holiday.
3. The Respondent failed to present a Response to the Claim during the 28 day period provided by the Rules. In response to a letter from the Tribunal dated 27 October 2021, the Claimant provided detailed information explaining how much he is claiming and how he has calculated the sums involved.
4. The Claimant has provided a copy of a pay slip which confirms that his gross basic monthly pay was £2,500, equating to £576.92 per week or £115.38 per day. The Claimant claims that he is owed 16 days' pay in respect of days worked by him in June 2021 for which he was not paid by the Respondent. His assertion that there are 16 days' unpaid wages has not been disputed by the Respondent.
5. On the basis of a daily rate of pay of £115.38, the Claimant is therefore owed the sum of £1,846.14 in respect of unpaid wages.

6. In addition, the Claimant calculates that he had five days' accrued, but untaken, holiday outstanding at the date of termination of his employment and therefore claims the further sum of £576.92 by way of outstanding holiday pay. Again, this has not been disputed by the Respondent.
7. The Tribunal will make a declaration that the Respondent made unlawful deductions from his wages and order the Respondent to pay to the Claimant the total gross sum of £2,423.06 in respect of the unlawful deductions. This sum will be subject to PAYE deductions.

15 November 2021

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Employment Judge Tynan

26 November 2021

Sent to the parties on: .....

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For the Tribunal Office