



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr H Rashid  
**Respondent:** Nova Syndicate Limited  
**Heard at:** East London Hearing Centre (via CVP)  
**On:** 6 July 2023  
**Before:** Employment Judge John Crosfill

## Representation

**Claimant:** In person  
**Respondent:** No appearance or representation

# JUDGMENT

UPON the Respondent not attending

AND UPON the tribunal attempting to contact the Respondent by telephone

AND UPON the Respondent having failed to comply with any case management orders

AND UPON the Tribunal deciding pursuant to rule 47 of Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 to proceed in the absence of the Respondent

AND UPON the Respondent in its ET3 admitting that sums were due to the Claimant

1. The Respondent made unlawful deductions from the Claimant's pay in April, July, August and September 2022.
2. The total of the unlawful deductions from pay amounted to **£4136.74** calculated in accordance with the schedule set out below.
3. The Respondent is ordered to pay the Claimant the sum of **£4136.74** in wages.

## Schedule

The Claimant's gross salary was £25,000 per annum or £2083.33 per month.

The Claimant was paid £1140 in April 2022 a shortfall of £943.33

The Claimant was paid £950 in July 2022 a shortfall of £1133.33

The Claimant was paid £1,871 in August 2022 a shortfall of £212.33

The Claimant was not paid anything in September 2022 a shortfall of £2083.33

The total shortfall in payments of salary is £4372.32.

The Claimant accepts that he took 4 weeks annual leave and that the Respondent is entitled to deduct from his wages leave taken in excess of his statutory entitlement.

The Claimant's employment terminated on 15 November 2022. His employment commenced on 1 April 2022. The Claimant was employed for a total of 229 days. He therefore accrued the right to take  $229/365 \times 5.6$  week holiday = 3.51 weeks. He therefore took 0.49 weeks in excess of his entitlement. 1 weeks' pay =  $£25,000/52 = £480.76$ .

The Respondent was entitled to deduct  $0.49 \times £480.76 = £235.57$  from the Claimant's wages.

The sum due to the Claimant is therefore  $£4372.32 - £235.57 = \mathbf{£4136.74}$

**Employment Judge Crosfill**  
**Dated: 6 July 2023**