



EMPLOYMENT TRIBUNALS

Claimant: Mrs S Brookes

Respondents: R1 – Smart Way 2 Go Limited
R2 - Dawn Wain

JUDGMENT

**Issued pursuant to Rule 21 of The Employment Tribunals
(Constitution and Rules of Procedure) Regulations 2013**

THE TIME for presenting a response having expired and no response having been presented and on the available material before the Employment Judge it is adjudged that :-

1. The First Respondent's name is amended to Smart Way 2 Go Limited.
2. The claims against the Second Respondent are dismissed.
3. In accordance with the provisions of Section 13 of the Employment Rights Act 1996 the complaint of unauthorised deduction from wages succeeds and in accordance with Section 24 of the Act the First Respondent is ordered to pay to the Claimant forthwith the amount so deducted being £2465.29 calculated gross.
4. In accordance with the provisions of Section 24 (2) of the Employment Rights Act 1996 the First Respondent is ordered to pay to the Claimant forthwith the sum of £143.64 so as to compensate the Claimant for the financial loss sustained by her and attributable to the said unauthorised deduction.
5. In accordance with the provisions of the Employment Tribunals Extension of Jurisdiction (England & Wales) Order 1994 the complaint for the recovery of damages for breach of contract succeeds and the First Respondent is ordered to pay to the Claimant forthwith damages in the sum of £12.00 in respect of unpaid expenses.
6. In accordance with the provisions of Regulations 13, 14 and 30 of the Working Time Regulations 1998 the complaint in respect of the Claimant's entitlement to payment for leave taken or in lieu of accrued but untaken leave succeeds and the Respondent is ordered to pay to the Claimant forthwith the sum of £296.84 calculated gross.

7. The Hearing listed for 12 December 2017 is vacated.

Employment Judge Cox

Dated: 22 November 2017