



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss J Hale

**Respondent:** Call Centre Ops Ltd

**Heard at:** Cardiff **On:** 27 September 2019

**Before:** Employment Judge Harfield (sitting alone)

**Representation:**  
Claimant: In person  
Respondent: Did not attend

## JUDGMENT

1. The respondent did not attend the hearing. Attempts were made by the tribunal staff to contact the respondent by telephone but no response was received. Under rule 47 of the Employment Tribunal Rules of Procedure I decided to proceed with the hearing in the absence of the respondent.
2. The claimant was employed by the respondent from 13 June 2017 until her resignation took effect on 5 September 2018. In a response form filed on 16 April 2019 the respondent denies it employed the claimant after 30 April 2018 but states nothing further about who employed the claimant thereafter. The claimant's letter of appointment is with the respondent. Her evidence to me, which I accept, is that the identity of her employer did not change in April 2018 and she was not given any information about the transfer of her employment to any other entity. Her evidence is that the only change was on her payslips which referenced an affiliated company of Consegna who appeared to have taken over the administration of payslips, but otherwise nothing else at the time changed. I therefore did not have sufficient evidence before me as to any change of employer and am satisfied on the available evidence the respondent was the claimant's employer throughout.

3. I am satisfied, having heard from the claimant, that the respondent has failed to pay her:
  - (a) two agreed staff referral fees of £150 = £300;
  - (b) one week's pay of £300.
  
4. I indicated to the claimant that I would review her holiday pay entitlement as she explained that her holiday year had moved to run from April to April and that as at September 2018 she only had 1.2 days holiday accrued and untaken which was to last through to April 2019. Upon further reflection, I do not consider the claimant is owed anything further by way of accrued and untaken holiday pay because it would appear that as at September 2018 she had already taken more holiday than a proportional allocation of the holiday year would allow.
  
5. The respondent has therefore made an unauthorised deduction from the claimant's pay and is ordered to pay the claimant the total **gross sum of £600**. The claimant is responsible for any sums due for tax or employee national insurance contributions.

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Employment Judge Harfield  
Dated: 27 September 2019

JUDGMENT SENT TO THE PARTIES ON 30 September 2019

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FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS

**NOTE:**

This is a written record of the Tribunal's decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal's Rules of Procedure 2013.