



EMPLOYMENT TRIBUNALS

Claimant: Mr R Kay
Respondents: Blessed Hands Healthcare Limited
Heard at: Leeds (by CVP videolink)
Before: Employment Judge Deeley
On: 15 January 2021

Representation

Claimant: In person
Respondents: Did not attend

JUDGMENT

1. The Tribunal declares that the claimant's claim for unauthorised deductions from wages under s13 of the Employment Rights Act 1996 succeeds. The claimant is awarded £2,619.71 (gross) which is made up of the following amounts:
 - 1.1. £819.04 gross unauthorised deductions regarding unpaid wages relating to the period 1 August to 20 September 2020;
 - 1.2. £490.11 gross in lieu of accrued holiday on termination of employment; and
 - 1.3. £1,310.55 relating to unpaid mileage expenses.

NOTES

2. The claimant attended the hearing today. He did not object to holding this hearing as a remote hearing. The form of remote hearing was "V: video - fully (all remote)". The respondent did not submit a response to this claim and did not attend the hearing today.

3. The claimant was employed from 1 August to 20 September 2020. The claimant received payslips from the respondent totalling £4288.50 gross (£3,106.36 net) regarding the August and September payroll periods. However, the respondent has only paid the claimant £2,499.04 net pay in relation to his employment (consisting of 'wage advances' of £800, £100 and £1,599.04). The claimant has not received net wages of £607.32, which equates to £819.04 gross unpaid wages.
4. The claimant also received a payment of £300 (consisting of two 'advances' of £150 each) in relation to his mileage expenses, leaving his total mileage expenses outstanding of £1,310.55.
5. The claimant was not paid for any holiday taken during his employment and was not paid in lieu of his accrued holiday on termination of employment. The claimant's holiday pay has been calculated based on his average weekly pay.

Employment Judge Deeley

15 January 2021