



EMPLOYMENT TRIBUNALS

Claimant: Mrs A. Coles

Respondent: ORU London Ltd

London Central

27 March 2024

Employment Judge Goodman

JUDGMENT

There being no response to the claim. the respondent is ordered to pay the claimant:

- (1) £2,893 gross for unauthorised deductions from wages**
- (2) £1,000.47 holiday pay**

REASONS

1. The claimant presented a claim on 9 October 2023 for one month's unpaid wages and holiday pay due on termination of employment. She was employed by the respondent as operations manager for 40 hours a week from 7th March 2023 to 7th August 2023.
2. The claim was sent to the respondent at its registered office by the employment tribunal on 6 February 2024. The respondent was to file a response by 5 March 2024. The hearing of the claim was listed for 3 April 2024.
3. The respondent has neither filed a response to the claim nor requested an extension of time. Accordingly judgment is entered in default under rule 21 of the Employment Tribunals Rules of Procedure 2013.
4. With respect to the claim for unpaid wages, the claimant is entitled to be paid the sum due either in contract or as an unauthorised deduction from the wages properly payable for the final. I have seen a payslip confirming the amounts paid per month. That amount is £2,893 before statutory deductions.
5. On holiday pay, the claimant was asked to file a calculation of her claim but she has only stated a total sum without breakdown. She was employed for five complete months. An employee's right to holiday pay under the Working Time Regulations 1998 is 28 days in each year of employment. On termination, an employees entitled to be paid any accrued holiday which has not been taken. After five months employment the claimant will have accrued 5/12 of 28, that is 11.67 days. The claimant does not say when she took holiday during the five months that she was employed. The 28 days allowed by the Working Time

Case No: 2215363/2023

Regulations includes bank holidays. During the claimant's period of employment in 2023 there were four statutory bank holidays. I shall take it on trust that the claimant worked on every other weekday between 5th March and the 5th August. On termination therefore she is entitled to 7.67 days, and assuming a five day week, that is £131.00 per day, a total sum of £1004.77.

6. Accordingly judgement is given for those sums. The hearing is vacated.

Employment Judge Goodman

Date: 27 March 2024_____

JUDGMENT SENT TO THE PARTIES ON

9 April 2024

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FOR THE TRIBUNAL OFFICE

Notes

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.