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EMPLOYMENT TRIBUNALS

Claimant: Ms C M Cuoconu
Respondent: Beauty Century Ltd.
Heard at: East London Hearing Centre (by Cloud Video Platform)
On: 10 September 2021
Before: Employment Judge H Allen

Representation

Claimant: In person assisted by Mr Gary Walcott (boyfriend)
Respondent: Did not attend and was not represented

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

- 1) The claim is for unauthorised deduction from wages contrary to S13 Employment Rights Act 1996 (ERA) and unpaid holiday pay.
- 2) The respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the gross sum of
Gross sum of £3,075.39.
- 3) The respondent has made an unauthorised deduction from the claimant's wages in respect of holiday pay and is ordered to pay the claimant the gross sum of
Gross sum of £1,353.00.

Holiday entitlement accrued but prevented from taking due to lockdown. 12 days holiday accrued and outstanding.

The above sums are subject to the usual deductions e.g. tax and national insurance.

- 4) Preparation time order - this sum is not subject to deductions
£ 410:00.

10 hours at the current standard rate (Rule 76 at the rate of £41 per hour) is awarded in accordance with Rule 79 on the grounds the respondent has acted vexatiously, abusively, disruptively or otherwise unreasonably in the way the proceedings have been conducted; namely:

- Having failed to file a response and applied to adjourn the full merits hearing on the grounds she was attending an urgent family occasion;
- The day before the full merits hearing the respondent was at work having returned, the claimant believes, from a family holiday;
- When the claimant applied for annual leave to attend the full merits hearing:
 - Refused the claimant's request for leave to attend the hearing; and
 - On 3 September 2021 the respondent informed the claimant the hearing had been postponed. 3 September was the date on which the respondent applied for the postponement; the court responded on 6 September refusing the respondent's application.

Employment Judge Allen

22 September 2021