



EMPLOYMENT TRIBUNALS

Claimant: Mrs K Bamidele

Respondent: Alt Brick Invest Limited

Heard at: Manchester ET **On:** 4 October 2023

Before: Employment Judge Malik via CVP

Representation

Claimant: Mrs Bamidele in person

Respondent: did not attend

JUDGMENT

1. The Respondent has made an unlawful deduction from wages in failing to pay the Claimant her wages from 15th March 2023 to 30th April 2023. This complaint of unlawful deduction from pay is well founded and succeeds. The Respondent must therefore pay to the Claimant the sum of £2625 being the gross sum unlawfully deducted.
2. The Respondent has made an unlawful deduction from wages by failing to pay the Claimant in lieu of accrued but untaken holiday for the leave year 2023. The complaint of failure to pay holiday pay is well founded and succeeds. The Respondent must therefore pay the Claimant the sum of £262.50 being the gross sum unlawfully deducted.
3. The Respondent has failed to pay all of the Claimant's notice pay. The Respondent must therefore pay to the claimant the sum of £875.00 being two weeks' notice pay as set out in the written contract.
4. The total amount payable by the Respondent to the Claimant is **£3762.50**

REASONS

1. Prior to making this decision, the tribunal noted that:
 - a. The Notice of a Hearing had been sent to the Respondent;

- b. The tribunal took steps to find reasons for non-attendance;
 - i. The Respondent has not responded and there were no contact details for them.
- c. The tribunal waited until 11am to see if the Respondent would attend and he did not;
- d. No reason was provided in advance of non-attendance; and
- e. No documentation had been supplied by the Respondent ahead of the hearing.

Employment Judge **Malik**
Date 1 December 2023

JUDGMENT SENT TO THE PARTIES ON
4 December 2023

FOR EMPLOYMENT TRIBUNALS

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2406661/2023**

Name of case: **Mrs K Bamidele** v **Alt Brick Invest Limited**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 4 December 2023

the calculation day in this case is: 5 December 2023

the stipulated rate of interest is: **8% per annum**.

Mr S Artingstall
For the Employment Tribunal Office

GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:

www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.