



EMPLOYMENT TRIBUNALS

Claimant: Ruby Holness Fairhurst
Respondent: Two Doors One T Limited
Heard at: East London Hearing Centre (By CVP)
On: 15 October 2024
Before: Employment Judge Crosfill

Representation

Claimant: In person
Respondent: No appearance or representation

JUDGMENT

UPON Hearing the Claimant

AND UPON considering the documentary evidence.

1. The Claimant's claim for unlawful deduction from wages accrued between 1 February and 23 February 2024 and falling due on 28 February 2014 is well founded and succeeds.
2. The Respondent deducted the sum of £702 from the Claimant's wages due on 28 February 2024. The said sum being calculated as 6 shifts of 9 hours = 54 hours at an agreed hourly rate of £10.18 basic + £2.72 contractual service charge = £13.00 per hour. 54 x £13 = **£702.00**.
3. The Claimant's claim for accrued but untaken annual leave brought pursuant to Regulation 30 of the Working Time Regulations 1998 is well founded and succeeds.
4. The Claimant worked without taking any paid annual leave from 11 October 2023 to 23 February 2024 which is 136 days. She therefore accrued 136/365 x 5.6 weeks of annual leave = 2.086 weeks. The Claimant worked for a total of 151.12 in the 12 week period prior to 23 February 2024 an average of 12.6 hours per week. She was accordingly entitled to be paid 2.086 x 12.6 x of £10.18 basic + £2.72 contractual service charge = £13.00 per hour that is a total of **£341.69**.

5. The Claimant's claim for damages for breach of contract, a failure to give any contractual notice, brought under the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 succeeds.
6. The Claimant was contractually entitled to 2 weeks' notice. She was entitled to work for a minimum of 14 hours. Her hourly remuneration was fixed at of £10.18 basic + £2.72 contractual service charge = £13.00 per hour. The Claimant is entitled to 2 x 14 x £13.00 = **£364.00** as damages for breach of contract.
7. The Respondent is **ordered to pay** the Claimant the sum of £702 (wages) £341.69 (in lieu of annual leave) and £364 as damages for breach of contract being a total of **£1,407.69**

Employment Judge Crosfill
Dated: 15 October 2024