



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss K Meiler

**Respondent:** UK Chip & Pin Limited

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

The time for presenting a response having expired and no valid response having been presented, it is the judgment of the tribunal that:

1. The claimant's complaint of unauthorised deduction from wages is well-founded and succeeds. The respondent unlawfully deducted £2,999.88 in total from the wages due to the claimant from 5 September to 27 October 2017 39 days at the rate of £76.92 per day . The respondent is ordered to pay the claimant the said sum of **£2,999.98**. This is a gross sum, from which the appropriate deductions for tax and national insurance should be made.
2. The claimant's complaint of failure to pay to the claimant an amount due to the claimant under regulation 14 (2) or regulation 16 (1) of the Working Time Regulations 1998 is well-founded and the respondent shall pay to the claimant the sum of **£153.84** in respect of 2.days untaken but accrued holiday (holiday pay). This is a gross sum, from which the appropriate deductions for tax and national insurance should be made.
4. The claimant's complaint of breach of contract is well – founded and she entitled to one week's pay in respect of notice, the claimant having confirmed that she received no earnings during the notice period. The respondent is ordered to pay her the sum of **£384.61**, as damages for breach of contract. This is a gross sum, from which the appropriate deductions for tax and national insurance should be made.
5. It has come to the tribunal's attention that an application has been made, on 24 January 2018, pursuant to s. 1003 of the Companies Act, to strike the respondent company off the register. It is unclear whether the claimant, a creditor, and person to be notified under s. 1006(1) of the Act., has been notified of this proposal. She is entitled to object to it (which is a matter for Companies House, and not the tribunal) , and will doubtless take such steps as she considers appropriate, or may be advised, to stop this process, which will terminate the existence of the respondent, in circumstances which do not amount to insolvency for the purposes of recovery of statutory debts from the Secretary of State.

6. The hearing on 1 February 2017 is cancelled.

**EMPLOYMENT JUDGE HOLMES**

**Dated: 26 January 2018**

**JUDGMENT SENT TO THE PARTIES ON**

**26 January 2018**

**AND ENTERED IN THE REGISTER**

**FOR SECRETARY OF THE TRIBUNALS**



Case No:2424002/2017

## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2424002/2017

Name of case(s): Miss K Meiler v UK Chip & Pin Limited

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 26 January 2018

"the calculation day" is: **27 January 2018**

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office