



EMPLOYMENT TRIBUNALS

Claimant: Miss I Hussain
Respondent: Papillon Childcare Limited

JUDGMENT

Under Rule 21 of the Employment Tribunals Rules of Procedure 2013.

No Response has been presented within the requisite time limit, and on the basis of the available information before the Employment Judge:

The judgment of the Tribunal is:

1. The claim for breach of contract in respect of notice pay is upheld and I award the claimant damages for such breach in the sum of £ 1525.30 (net) being 5 week's net pay;
2. The Tribunal declares that the respondent made an unauthorised deduction from the claimant's pay for the period from 1 May 2018 to 10 August 2018. I award the sum of £ 1249.73 (gross) in respect of this (calculated as £703 in July, £495 in August, and £24.92 and £26.81 being unlawful deductions in May and June respectively);
3. The Tribunal declares that the respondent has failed to pay holiday pay in accordance with the Working Time Regulations 1998 and I order the Respondent to pay the sum of £ 1220.20 (net) being 20 days' pay, to the claimant;
4. I make no allowance for the none payment of pension contributions in July and August as the award for unlawful deductions of wages is made before that deduction would have been taken.
5. The claimant is entitled to a redundancy payment in the sum of £1435.12
5. The respondent is ordered to pay the claimant the total sum of £5430.35
6. The parties are to note that the wages have been calculated on the basis of the average of the claimant's last 12 weeks of work

Employment Judge Warren

Date 3 January 2019

JUDGMENT SENT TO THE PARTIES ON

14th January 2019

FOR THE TRIBUNAL OFFICE



Case Number: 2415483/2018

NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2415483/2018**

Name of case(s): **Miss I Hussain** v **Papillon Childcare Ltd**

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: **14th January 2019**

"the calculation day" is: **15th January 2019**

"the stipulated rate of interest" is: **8%**

MR J HANSON
For the Employment Tribunal Office