



EMPLOYMENT TRIBUNALS

Claimant: Mrs L Griffiths

Respondent: D&G Pub Company Limited

Heard at: Teesside

On: 14 May 2018

Before: Employment Judge Morris

Representation:

Claimant: In person

Respondent: Mr P Barkley, Area Manager of the respondent

JUDGMENT

The judgment of the Tribunal is as follows:-

- 1 On behalf of the respondent it was conceded, first, that the claimant was not paid in respect of the last five days of her employment (25-29 December 2017) and, secondly, that she was therefore entitled to be paid 5/7ths of her net weekly pay of £300 totalling £214.29; that notwithstanding a clause contained in her contract of employment regarding deductions from salary in respect of cash losses. The claimant accepted that she had been paid for the preceding week, 18-24 December 2017 inclusive. That non-payment of the claimant's wages is contrary to, first, Part II of the Employment Rights Act 1996 and, secondly, the claimant's contract of employment is contrary to, first, Part II of the Employment Rights Act 1996 and, secondly, the claimant's contract of employment. The respondent is therefore ordered to pay to the claimant that sum of £214.29. That figure having been calculated by reference to the claimant's net pay the respondent shall be responsible for any liability to income tax or national insurance contributions payable on that amount.
- 2 The claimant's claim in respect of payment in lieu of holiday pursuant to regulation 14 of the Working Time Regulations 1998 is not well-founded and is dismissed: at the termination of her employment the claimant had accrued 18.5 days' entitlement to holiday but had already taken in excess of that during that holiday year.
- 3 The claimant's contract claim that she was entitled to payment in lieu of

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notice of the termination of her employment is not well-founded and is dismissed: she resigned on 29 December 2017 and had requested that that should be the effective date of termination.

Employment Judge Morris

Date 21 May 2108

Note

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.

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