



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4104271/2018

Employment Judge: Murdo Macleod

Miss R McLaren

Claimant

Caledonian Bar

1st Respondent

Caledonian Bar Property Ltd t/a Caledonian Bar

2nd Respondent

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

The judgment of the Employment Tribunal is that the claimant`s complaints of:-

- (a) Arrears of Pay
- (b) Holiday Pay due on termination
- (c) Breach of Contract (notice pay)

succeed and that [the respondent shall pay to the claimant the total sum of Three Hundred and Twenty Seven Pounds (£327).

REASONS

1. A copy of the claim form setting out the claimant's complaint was sent to the respondent on 3 May 2018.
2. In accordance with the terms of Rule 16 of the Rules to be found in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 the respondent was required to enter a response within twenty-eight days of the date on which a copy of the claim was sent to it but failed to do so.
3. The Employment Judge decided that on the available material a determination could properly be made without a hearing as to the liability of the respondent claim.
4. On the basis of the available material the Employment Judge decided she could properly determine remedy as follows:-
 - (a) In respect of the claimant's complaint of unlawful deduction of wages, the respondent shall pay to the claimant the sum of Twenty Seven Pounds (£27) in respect of unpaid wages for 4.5 hours worked on 12 March 2018, at £7.50, being Thirty Three Pounds and Seventy Five Pence (£33.75) gross and Twenty Seven Pounds (£27) net.
 - (b) In respect of the claimant's complaints of unlawful deduction of wages, in respect of unpaid annual leave, the respondent shall pay to the claimant the sum of Two Hundred and Four Pounds (£204), in respect of 34 hours, being Two Hundred and Eighty Pounds and Twenty Five Pence (£280.25) for the period from 14 November 2017 to 12 March 2018, at £7.50, being Two Hundred and Fifty Five Pounds (£255) gross and Two Hundred and Four Pounds (£204) net.
 - (c) In respect of the claimant's complaint of breach of contract for failure to pay notice payoff one week, 16 hours at £7.50 per hour, the respondent shall pay the claimant the net sum of Ninety Six Pounds (£96).
 - (d) The claimant is not entitled to compensation for emotional distress or any other heads of claim.

Employment Judge:
Date of Judgment:
Entered in register:
and copied to parties

Murdo MacLeod
03 June 2019
04 June 2019