



EMPLOYMENT TRIBUNALS

Claimant: Ms Emma Copley
Respondents: (1) Complete Community Healthcare
(2) Complete Community Healthcare Limited

Held at: North Shields

24 May 2019

Before Employment Judge Buchanan (sitting alone)

Representation:

Claimant: No attendance

Respondents: No attendance and no response entered

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

It is the Judgment of the Tribunal that:

1. The claim for unauthorised deduction from wages is well-founded and the second respondent is ordered to pay to the claimant **£216.00p** in respect of unpaid wages (24 hours at £9 per hour). This is a gross sum and the claimant shall account to the appropriate authorities for any income tax and employee national insurance contributions due in respect of such sum on receipt.
2. The claim for unpaid holiday pay is well-founded and the second respondent is ordered to pay to the claimant the sum of **£358.05** (39 hours 47 minutes at £9.00p per hour gross) in respect of unpaid holiday pay. This is a gross sum and the claimant shall account to the appropriate authorities for any income tax and employee national insurance contributions due in respect of such sum on receipt.
3. The total sum due to the claimant from the second respondent of **£574.05** is payable forthwith.
4. I am satisfied that the claimant was employed by the second respondent. I dismiss all claims against the first respondent.

REASONS

1. This matter came before me this morning. Neither party attended.
2. I was able to examine the claim form in detail and from the information provided I calculate the above sums are due to the claimant. My calculation is somewhat less than the amount claimed but I have made my calculations on the basis of the information provided. Given the claimant did not appear, I was unable to seek further clarification from her.
3. The claim form included a further claim for £100 for emotional distress. I do not have jurisdiction to award any such compensation.

Employment Judge A M Buchanan

Date: 24 May 2019

Public access to employment tribunal decisions

Judgements and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2500506/2019**

Name of **Mrs E Copley** v **Complete Community**
case(s): **Healthcare & Others**

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: **29 May 2019**

"the calculation day" is: **30 May 2019**

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

MISS K FEATHERSTONE
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.