



EMPLOYMENT TRIBUNALS

Claimant: Miss Nicola Ayers

Respondent: Mr Paul Wriglesworth

Heard at: Teesside Justice Hearing Centre **On:** 4 July 2019

Before: Employment Judge Morris

Representation:

Claimant: In Person

Respondent: Neither present nor represented
(no response having been presented)

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

The judgment of the Employment Tribunal is as follows:

1. Pursuant to Rule 48 of the Rules of Procedure it is ordered that the preliminary hearing that was to have taken place today shall be treated as a final hearing, the Tribunal being satisfied that neither of the parties shall be materially prejudiced by that change.
2. The claimant's complaint under section 23 of the Employment Rights Act 1996 that the respondent made unauthorised deductions from her wages, contrary to section 13 of that Act, is well-founded in that he did not pay her at all in respect of the work that she undertook for him on any of the following four days: Monday 18 and Tuesday 19 February 2019, and Monday 4 and Tuesday 5 March 2019.
3. The respondent is ordered to pay to the claimant the amount of those deductions being, in total, £206.64; that amount being calculated on the basis that on each of the four days referred to the claimant was contracted to work for the respondent for seven hours and did work for seven hours in respect of which she was due the minimum wage of £7.38 per hour (ie. £51.66 per day).

4. The above total amount of £206.64 has been calculated by reference to the claimant's gross pay and any liability to income tax or employee's national insurance contributions shall be the liability of the claimant alone.
5. Any complaint that may be inferred from the claimant's claim form (ET1) to the effect that she had been subjected to disability discrimination by the respondent was withdrawn by the claimant and is dismissed.

EMPLOYMENT JUDGE MORRIS

**JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON 10 July 2019**

Public access to employment tribunal decisions

Judgments 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): **2500917/2019**

Name of **Miss N Ayers** v **Paul Wriglesworth**
case(s):

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: **24 July 2019**

"the calculation day" is: **25 July 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.