



EMPLOYMENT TRIBUNALS

Claimant: Miss Natalie Allen

Respondent: B2B Telemark Limited

Heard at: East London Hearing Centre

Before: Employment Judge John Crosfill

On: Monday 7 October 2019

JUDGMENT

Upon the Respondent failing to file an ET3 within the time limit imposed by rule 16 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013

AND Upon there being no appearance or representation on behalf of the Respondent at the hearing

AND Upon considering the information provided by the Claimant in her ET1 and in her oral evidence:

1. The Claimant's claim for wages including (wages and commission) brought under Part II of the Employment Rights Act and/or (save for holiday pay) the same claim brought under the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 and under Regulation 30 of the Working Time Regulations 1998 in respect of holiday pay only, are well-founded.
2. The Respondent unlawfully deducted the following sums from the Claimant's pay:
 - 2.1. Wages of £350 per week for the three weeks ending with 21 June 2019, a total of £1,150.00;

- 2.2. Commission of 10% on each sale on sales totaling £1,000 = £100;
- 2.3. Holiday pay for annual leave accrued but untaken for the period 20 May 2019 to 21 June 2019 = $(5.6 \times 5/52) \times (\text{£}350 \text{ pay} + \text{£}20\text{pw commission}) = \text{£}199.23$.
3. The Claimant has incurred bank charges and interest of £12 and £3 respectively totaling £15.00 as a direct consequence of the Respondent's failure to pay wages.
4. The Respondent is ordered to pay the Claimant the sum of £1,464.23 less any tax and national insurance contributions required by law.

Employment Judge John Crosfill

9 October 2019