



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs S Gupta

**Respondent:** Moda Fashions (Shrewsbury) Limited

**HELD AT:** Manchester

**ON:** 16 December 2019

**BEFORE:** Employment Judge Ainscough  
(sitting alone)

**REPRESENTATION:**

**Claimant:** In person

**Respondent:** Not in attendance

## JUDGMENT

1. The claimant's claim for unlawful deduction from wages contrary to section 13 of the Employment Rights Act 1996 is successful.
2. The claimant worked as a store manager with the respondent from 11 June 2019 to 27 July 2019. The claimant worked 5 days a week was entitled to a daily rate of £84.62 up to 9 July 2019 and £88.46 from 9 July 2019. The claimant was entitled to 28 days holiday and a one week notice period.
3. The amount awarded to the claimant for the non-payment of wages from 30 June 2019 – 8 July 2019 (9 days) is £761.58 gross. The amount awarded to the claimant for the non-payment of wages from 9 July 2019 – 27 July 2019 (12 days) is £1061.52 gross. The amount awarded to the claimant for her notice period of 5 days is £442.30 gross. The amount awarded to the claimant in accrued holiday pay up to 3 August 2019 is £353.84 gross. The cumulative total of compensation for unlawful deduction from wages is £2619.24 gross.
4. The claimant received £745 on termination of employment. The cumulative amount therefore payable is **£1874.24 gross.**

Employment Judge Ainscough

16 December 2019

JUDGMENT SENT TO THE PARTIES ON

20 January 2020

FOR THE TRIBUNAL OFFICE

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://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: **2413929/2019**

Name of case: **Mrs S Gupta** v **Moda Fashions  
(Shrewsbury) Limited**

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: **20 January 2020**

"the calculation day" is: **21 January 2020**

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

For the Employment Tribunal Office