



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 4123628/2018

Hearing held in Glasgow at 10am on 24 January 2020

Employment Judge M Whitcombe

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Miss D Grant

Claimant
In person

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Kirsty MacArthur

First Respondent
Did not attend

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25 **MacArthur Leisure Limited**

Second Respondent
Did not attend

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MacArthur Wellness Clinic Limited

Third Respondent
Did not attend

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JUDGMENT

40 The judgment of the Tribunal is as follows.

(1) The claimant's employer, and therefore the correct respondent, was MacArthur Wellness Clinic Limited (the Third Respondent as listed above).

5 (2) With the consent of the claimant, I therefore reconsider and revoke the judgments entered against the other respondents. All of the respondents apart from MacArthur Wellness Clinic Limited are dismissed from the proceedings.

10 (3) The Third Respondent made deductions from the claimant's wages and I therefore order it to pay compensation as follows:

- a. Compensation for unpaid wages in the sum of £306.25;
- b. Compensation for unpaid holiday pay in the sum of £352.35;
- c. Compensation representing the additional costs of borrowing
15 money on an urgent basis given the deductions above, in the sum of £297.81 (this sum is awarded under section 24(2) of the Employment Rights Act 1996).

20 (4) The claimant is permitted to amend her claim to add a claim for breach of contract in relation to the reimbursement of expenses.

(5) The Third Respondent was in breach of contract in relation to the reimbursement of certain expenses, for which I award compensation of £56.33.

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Employment Judge : M Whitcombe
Date of Judgment : 24 January 2020
Date sent to parties : 27 January 2020

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