



EMPLOYMENT TRIBUNALS

Claimant

Mr C Rodriguez

Mrs L Encinales

v

Respondent

ELP Facility Management Ltd

RULE 21 REMEDY HEARING

Heard at: Bristol by Telephone

On: 27 April 2020

Before: Employment Judge Midgley

Appearances

For the Claimant: Mr Rodriguez, in person
(Mrs Encinales attending)

For the Respondent: Did not attend

This has been a remote hearing which has not been objected to by the parties. The form of remote hearing was "A" - Telephone hearing. A face to face hearing was not held because it was not practicable and all issues could be determined in a remote hearing. Despite trying on two occasions to connect the Respondent to the call, the Respondent did not attend.

The documents that I was referred to were:

1. The ET1 completed by each of the claimants, Tribunal
2. The ET3s completed by the Respondent in respect of each Claimant (in which partial admissions of the claims were made; but received out of time);
3. The Claimant's contracts of employment;
4. Payslips for the Claimants;
5. The Claimants' email to the Tribunal dated 5 January 2020 containing calculations of their losses, totalling £821 (Mr Rodriguez) and £823 (Mrs Encinales); and
6. The Respondent's email of 24 April 2020 admitting the claims in full and making proposals for payment of the claims by instalments.

JUDGMENT

1. The Claimants' claims for unlawful deduction of wages and unpaid annual leave are well founded and succeed.
2. The Respondent made unlawful deductions from the Claimants' wages and failed to pay accrued but untaken annual leave upon termination of their employment and is Ordered to pay the following sums to the Claimants:
 - 2.1. Mr Rodriguez **£821.00** (consisting of £131.36 for accrued but untaken annual leave and £689.74 unpaid wages)
 - 2.2. Mrs Encinales **£823.00** (consisting of £114.94 for accrued but untaken annual leave and £711.06 unpaid wages)

Employment Judge Midgley

Dated: 27 April 2020

.....

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.