



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms N Gomez Fernandez

**Respondent:** Global Coffee Shops Limited

**At:** Central London Employment Tribunal

**Before:** Employment Judge Nicolle

## JUDGMENT

1. The Respondent has failed to file an ET3 Grounds of Resistance by the stipulated deadline of 30 June 2020 and has not applied for an extension of time for doing so.
2. Having considered the ET1, Employment Judge Nicolle has decided that a determination of the claim can properly be made without a hearing and the Judgment of the Tribunal, made under Rule 21 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 is as set out below.
3. The Respondent has unlawfully failed to pay wages to the Claimant for the period between 29 January 2020 and 7 February 2020 in the gross sum of £738.46. This is calculated on the basis of the Claimant's annual gross salary of £24,000 giving a daily figure of £92.30 and on the basis that she worked 8 days between 29 January 2020 and 7 February 2020.
4. The Claimant is also entitled to a payment in respect of her accrued holiday entitlement for her employment between 6 January 2020 and 7 February 2020. The Claimant had an annual holiday entitlement of 28 days and had not taken any holiday. The Claimant therefore has a prorated accrued holiday entitlement rounded up to 2.5 days which on the basis of an annual gross salary of £24,000 gives a daily rate of £92.30 and a total of £230.75.
5. The Tribunal orders the Respondent to pay unpaid wages and accrued holiday entitlement to the Claimant of £969.21.
6. Where payments are made gross the Claimant will be responsible for all applicable tax and employee national insurance contributions.

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**Employment Judge Nicolle**

**23 July 2020**

Sent to the parties on:

23 July 2020

For the Tribunal: