



EMPLOYMENT TRIBUNALS

Claimant: Ms Mihaela Robu

Respondent: Global Coffee Shops Ltd T/A Caffè Vergnano 1882 and Luciano Franchi

At: Central London Employment Tribunal

Before: Employment Judge Nicolle

JUDGMENT

1. The Respondents have failed to file ET3 Grounds of Resistance.
2. Having considered the ET1s, Employment Judge Nicolle has decided that a determination of the claims 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 Respondents have unlawfully failed to pay wages to the claimant in the period between 28 August 2019 and 17 January 2020. The Claimant's gross hourly salary was £8.21 and she was not paid for a total of 95 hours and is this therefore equates to the gross sum of £779.95.
4. The Respondents have unlawfully failed to pay the Claimant's full accrued holiday entitlement for the duration of her employment between 28 August 2019 and 17 January 2020. The Claimant's gross hourly salary was £8.21 and she was entitled to an annual holiday entitlement of 28 days. Given that the claimant was entitled to 28 days' holiday each year this would have equated to, when rounded up, to 11 days for the period of her employment less the two days she had taken. The Claimant is entitled to average weekly pay of £315.26 based on normal working hours as stated in her main terms of employment of 38.4. This gives an average annual gross salary of £16,393.73 which if divided by 52 and apportioned for 9 days' accrued holiday equates to £567.48.
5. The Tribunal orders the Respondents to pay unpaid accrued holiday entitlement and wages to the Claimant of £1,347.43 gross in respect of which she will be responsible for all applicable tax and employee national insurance contributions.

Case Numbers: 2202199/2020 and 2202200/2020

6. The Respondents are jointly and severally liable for the payment of the above sum to the Claimant.

Employment Judge Nicolle

21 July 2020

Sent to the parties on:

22/07/2020.

For the Tribunal: