



EMPLOYMENT TRIBUNALS

Claimant: Mrs KM Podurgiel

Respondent: Evolution Corporate Acquisitions 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 dated 23 July 2020 and nor has it applied for an extension of time.
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 1 January 2020 and 14 February 2020 in the gross sum of £4,871.78.
4. Further, as result of the Claimant placing reliance on oral representations made by Maria Laura Iglesias, the Respondent's CEO, prior to her commencing employment with the Respondent that she would receive arrears of pay outstanding for June and July 2019 in her employment with Orwell Group Holding Ltd, she is owed the further gross sum of £3,333.34.
5. The Claimant is also entitled to a gross sum of £1,230.77 in respect of her accrued holiday entitlement for her employment between 25 October 2019 and 14 February 2020 on the basis of an annual holiday entitlement of 25 days and the Claimant having taken no holiday. This gives rise to a prorated accrued holiday entitlement of 8 days which gives a daily rate at 1/260 per day of £153.85.
6. The Claimant did not receive payment in respect of her 3 month contractual notice period provided for by a clause 11.1 of her Contract of Employment dated 25 October 2019. The Claimant is therefore entitled to payment of the net sum of £6,796.41.

7. The Tribunal orders the Respondent to pay unpaid wages and accrued holiday entitlement to the Claimant of £9,435.89 gross together with the net sum of £6,796.41 in respect of her notice period.
8. Where payments are made gross the Claimant will be responsible for all applicable tax and employee national insurance contributions.

Employment Judge Nicolle

30 July 2020

Sent to the parties on:

30/07/2020.....

For the Tribunal:

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