



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss K Winship

**Respondent:** Cygnet Events Ltd

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claim of unlawful deduction of wages (arrears of pay) against the Respondent is well-founded. The Respondent is ordered to pay to the Claimant the gross sum of **£1,750**.
2. The claim of in respect of breach of contract for failure to pay expenses is well-founded. The Respondent is ordered to pay to the Claimant damages of **£40**.
3. The total amount the Respondent is ordered to pay the Claimant is **£1,790**.

## REASONS

1. The claimant was employed by the Respondent until 06 August 2019 when she resigned. At the date of termination of her employment she was owed unpaid wages of £1,750 in respect of the month of July 2019 and payment in respect of travel expenses in the sum of £40.
2. Under rule 21 of the Tribunal Rules of Procedure 2013, where on the expiry of the time limit in rule 16 no response has been presented and no application for a reconsideration is outstanding, an employment Judge shall decide whether on the available material, a determination can properly be made of the claim or part of it. If there is, the judge shall issue a judgment, otherwise a hearing must be fixed before a judge alone. As no response was served by the Respondent and as there were 5 other claimants all of whom claimed against this respondent or a respondent with common directors and shareholders, all 6 claims were listed before me on 24 March 2020. The key issue appeared to be the identification of the correct respondent.
3. The Respondent was represented at that hearing by Mr Maurice Duffy (himself a named response in a linked claim by another claimant) the director and major shareholder of the Respondent. Although no response had been received in respect of any of those

cases, Mr Duffy was given permission by me to make observations at the hearing and which were reflected in the case management summary subsequently sent to the parties. Mr Duffy confirmed that none of the sums claimed was in dispute.

4. I was satisfied, following the preliminary hearing as to the correct identity of the employer. I also considered that I had sufficient information to enable me to issue a judgment and was satisfied that the sums claimed were not in dispute. Therefore, I was satisfied that there was sufficient material to enable me to determine the claims as above.

Employment Judge **Sweeney**

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Date: 8 June 2020