



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Arturas Lapinskas

**Respondent:** D'Antonio's 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 £1,442.31**
- 2. The claim of in respect of unlawful deductions in respect of accrued and unpaid holiday pay against the Respondent is well-founded. The Respondent is ordered to pay to the Claimant the gross sum of £1,442.31.**
- 4. The total amount the Respondent is ordered to pay the Claimant is £2,884.62.**

## REASONS

1. The claimant was employed by the Respondent from 15 September 2019 to 19 December 2019 as a chef. By a Claim Form presented on 14 April 2020, he brought complaints in respect of outstanding wages and holiday pay. He maintained that this money was owed to him and outstanding as at the date of termination of his employment and that the Respondent did not contest this. No response to the Claim has been served by the Respondent.
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.
3. The Claimant has provided a payslip from the Respondent which remains unpaid but which clearly sets out the gross and net amounts due to the Claimant.

4. I was satisfied that that the sums claimed were uncontested and that I had sufficient information to enable me to determine the claims and issue a judgment.

Employment Judge **Sweeney**

Date: **11 November 2020**