



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4100886/20

Employment Judge J Hendry

Ms Laura Weir

**Claimant
In Person**

Ravo Holdings Limited

**1st Respondent
Not Present**

Ian Scott

**2nd Respondent
Not Present**

Global Lettings Booking Services Limited

**3rd Respondent
Not Present**

Maitland Edi Limited

**4th Respondent
Not Present**

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The Employment Tribunal finds that the claimant's application for a finding that she suffered an unlawful deduction from her wages to be well founded and orders the second respondent to pay the claimant the sum of Three Hundred and Fifty Pounds (£350) as unpaid wages.

REASONS

1. The claimant raised Employment Tribunal proceedings on 11 February 2020 seeking unpaid wages. She raised the proceedings against three respondents Ravo Holdings Limited, Ian Scott and Global Letting Booking Services Limited.
2. No response was received from any of the respondents.
3. The claimant in her ET1 explained that she had carried out work as instructed by Mr Scott in late 2019 and although she had received some payments towards the sums due (£100 since the proceedings had been raised) there was a balance of £350 still due to her.
4. A Preliminary Hearing took place by telephone conference call on the 24 April. During that conference call the claimant explained that she did not know who exactly her employer was. Mr Scott is, she said, involved in various enterprises. There were a number of companies involved and she found it difficult to track down exactly what the business structures were behind the Edinburgh Apartment business for which she carried out housekeeping and other duties giving rise to the claim.
5. I explained to the claimant that it appeared from the circumstances that Mr Scott was acting as an agent for an undisclosed principal and in these circumstances, I saw no bar to her proceeding against him alone. It would be up to him to recover the cost from some other party if appropriate. I asked her to write to the Tribunal setting out whether or not she would accept a Judgment against Mr Scott alone and secondly more information about the circumstances of her employment. Ms Weir confirmed that she would be prepared to accept a Judgment against Mr Scott as an individual. She wrote to the Tribunal on the 24 April setting out briefly her understanding of the circumstances in which she was engaged to carry out this work by Mr Scott.

Decision

6. In the circumstances given that there is no response from any of the respondents I considered the position in the light of the materials I had before me. I accepted that the claimant had a real difficulty in knowing who actually benefited from her work. She has found it impossible to work out which legal 'person' whether it be a company, partnership or sole trader who was behind the business and who she had carried out work for. I do not believe the law requires her to do so. Mr Scott engaged her unless he made it clear that he was engaging her on behalf of somebody else then he is responsible for her wages.

7. Accordingly, in terms of Rule 21 of The Employment Tribunals (Constitution of Rules of Procedure) Regulations 2013 Schedule 1 in the light of there being no response from any of the respondents I believe that there is sufficient material before me to allow a determination of the claim to be properly made and I do so by finding the claim well founded and I therefore order Mr Scott to pay the claimant her arrears of wages of £350.

Employment Judge: James Hendry
Date of Judgment: 06 May 2020
Entered in register: 07 August 2020
and copied to parties