



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms Natalie Gregory

**Respondent:** Mohammad Zishan Zaman  
(alternately known as Zishan Zaman or Mohammad Zaman)

**Heard at:** Liverpool remotely by CVP      **On:** 13 May 2021

**Before:** Employment Judge Aspinall

## Representation

Claimant: in person

Respondent: no appearance, no response received

# JUDGMENT

## The judgment of the Tribunal is that:

1. The claimant's claim for unauthorised deductions from wages is well founded and succeeds.
2. The claimant's claim for unpaid holiday pay is well founded and succeeds.
3. The claimant was employed at national minimum wage for 37.5 hours per week, giving a monthly gross rate of pay of £ 1251.25 for March 2020 and at a monthly gross rate of pay of £ 1332.50 thereafter, from 6 November 2019 until termination of her employment on 20 November 2020.

4. The respondent made claims from HMRC for furlough pay for her but did not pay it all to her. In each of the following months she received an unauthorised deduction from her wages of the following amounts:-

March 2020	£ 169.40
April 2020	£ 300.33
May 2020	£ 497.36
June 2020	£1332.50
July 2020	£1332.50
August 2020	£1332.50
September 2020	£1332.50
October 2020	£1332.50

November 2020     £ 888.33 (20 days at a daily rate of £ 44.41)

The total amount of unauthorised deduction from wages is £ 8517.92.

5. The claimant was entitled to 28 days paid annual leave. She did not take any leave at all during the year from 21 November 2019 until 20 November 2020. On termination of employment she was entitled to receive 28 days paid annual leave. The respondent did not require her to take annual leave whilst on furlough. All of that leave would have been taken after 6 April 2020 at the higher national minimum wage rate of £ 8.20 per hour. [37.5 x £8.20 x 52 = £15990 divided by 365 days to give a daily rate of £ 43.80 multiplied by 28 days due =£ 1226.60].

The total amount of unpaid annual leave on termination of employment is £ 1226.60.

**The respondent is ordered to pay the claimant                    £ 9744.52**

Employment Judge Aspinall  
Date 13 May 2021

JUDGMENT SENT TO THE PARTIES ON  
14 May 2021

FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2401511/2021**

Name of case: **Miss N Gregory** v **Mohammad Zishan Zaman**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 14 May 2021

"the calculation day" is: 15 May 2021

"the stipulated rate of interest" is: **8%**

For the Employment Tribunal Office

## INTEREST ON TRIBUNAL AWARDS

### GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at [www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426](http://www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426)

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".
3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.
4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).
5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.
6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.