



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs K Wegrzyniak

**Respondent:** Solus Facilities Limited trading as Eco Cleaning Services

## FINAL MERITS HEARING (CONDUCTED BY CLOUD VIDEO PLATFORM)

**Heard:** By Cloud Video platform

**Region:** Midlands East

**On:** 4 June 2021

**Before:** Employment Judge Broughton

### Appearances

For the claimant: In Person

For the respondent: No Attendance

## JUDGMENT

1. The respondent's name is corrected to Solus Facilities Limited. The claimant had issued the claim against the trading name of the respondent rather than the limited company.
2. The claimant's claim for unlawful deduction of wages and/or breach of contract following a unilateral variation to her contractual terms, reducing her working days during the period 14 April 2020 to 30 October 2020, is well founded and the respondent is ordered to pay the claimant the sum of **£3335.40 gross**.
3. The claimant's claim for unlawful deduction from wages for unpaid wages on 27 and 30 October 2020 is well founded and succeeds, and the respondent is ordered to pay the claimant the sum of **£78.48 gross**
4. The claimant's claim for unpaid holiday under the Working Time Regulations 1998 and/or unlawful deduction from wages, succeeds and the respondent is ordered to pay the claimant for holiday taken by the claimant in 2020 which was unpaid, in the sum of **£356.16 gross**
5. The claimant's claim for unpaid holiday under the Working Time Regulations 1998 and/or unlawful deduction from wages for holiday she had taken in 2019 which remained unpaid on termination, is not well founded being brought out of time, and is dismissed.

6. The claim for a payment in lieu of holiday which had accrued as at the date of termination is well founded and succeeds. The respondent is ordered to pay the claimant the following sums;
  - 6.1 For untaken annual leave during 2019 which the claimant was adjudged permitted to carry over on the basis that the respondent had not given her an effective opportunity to take it, pursuant to regulation 13 and 14 Working Time Regulations: **£554.17 gross**
  - 6.2 For holiday accrued in 2020 pursuant to regulation 13, 13 A and 14 Working Time Regulations: **£745.56. gross.**

Employment Judge Broughton  
4 June 2021

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.

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