



EMPLOYMENT TRIBUNALS

Claimant: Mrs R Webb (C1)
Miss D Seaward (C2)
Miss M Oliver (C3)

Respondent: Carby Community Care Limited

Heard at: London South Tribunal **On:** 12th January 2021 **by:** CVP

Before: Employment Judge Clarke (sitting alone)

Representation

Claimant: All Claimants appeared in person

Respondent: No attendance

The hearing of this matter took place on 12th January 2021 and judgment on liability was given on that date. Further directions were given on 12th January 2021 for the purposes of ascertaining quantum, to be assessed on the papers.

Further to those directions the Second Claimant provided the Tribunal with a Revised Schedule of Loss but no Revised Schedule of Loss has been received from the Third Claimant.

JUDGMENT ON QUANTUM

The judgment of the Tribunal is that:

- (1) The Respondent is ordered to pay compensation to the Second Claimant (Miss Seaward) in respect of her claim for breach of contract by failure to pay the national minimum wage in the **sum of £3,531.65 (gross)** calculated as follows:

A	B	C	D	E	F
Pay Ref period	Total hours worked during pay ref period (contracted hours plus on call hours)	Total gross pay for the pay ref period (£)	Min hourly pay due (£)	Total min wage due (column B x Column C) (£)	Underpaid wages (column E minus column C) (£)
Jan 18	232	1,816.67	7.50	1,740.00	0
Feb 18	232	1,816.67	7.50	1,740.00	0
Mar 18	200	1,649.99	7.50	1,500.00	0
April 18	272	1,623.33	7.83	2,129.76	506.43
May 18	200	1,397.83	7.83	1,566.00	168.17
Jun 18	200	1,397.83	7.83	1,566.00	168.17
July 18	304	1,569.83	7.83	2,380.32	810.49
Aug 18	192	1,419.33	7.83	1,503.36	84.03
Sept 18	240	1,397.83	7.83	1,879.20	481.37
Oct 18	192	1,397.83	7.83	1,503.36	0
Nov 18	232	1,483.33	7.83	1,816.56	333.23
Dec 18	232	1,419.33	7.83	1,816.56	397.23
Jan 19	160	1,333.33	7.83	1252.80	0
Feb 19	208	1,462.33	7.83	1,628.64	166.31
March 19	72	147.54	7.83	563.76	416.22
TOTAL					3,531.65

- (2) Pursuant to Paragraph 4 of the Directions dated 12th January 2021, the Third Defendant (Miss Oliver's) having failed to provide a Revised Schedule of Loss, the Third Claimant's claim for an unlawful deduction of wages is assessed at £0.00.

Employment Judge L Clarke
 Date: 4th May 2021

Judgment sent to the parties and entered in the Register on:

The reasons for this decision were given orally at the hearing. Written reasons will not be provided unless they are asked for by a written request presented by any party within 14 days of this written judgment being sent to the parties.

**Case Number: 2301233/2019
2301364/2019
2301644/2019**

Public access to employment tribunal decisions

Note that both judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the parties.