



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

and

Respondent

Ms Roslyn Harrion

**STA Travel Limited
(in Voluntary Liquidation)**

Held at: Exeter

On: 27 August 2021

Before: Employment Judge Smail

Appearances

Claimant: Ms A Ballans (Solicitor)

Respondent: No appearance

In the light of the insolvency position of the Respondent, the Claimant limits her claim to periods when she was not paid the national minimum wage. During those periods she was paid apprentice rates when in fact she was an ordinary employee. The alleged apprenticeship was a sham.

JUDGMENT

1. It is declared that the Claimant suffered unauthorised deductions of earnings by not being paid the national minimum wage, as follows:-
 - (a) From 4 September 2017 to 1 April 2018 the national minimum wage equated to £210 per week, and therefore the claimant should have received pay in the total of £6,300. In fact, the claimant only received £148.13 per week, a total of £4,443.90. This equates to an underpayment of £1,856.10.
 - (b) From 2 April 2018 to 3 September 2018 the national minimum wage equated to £221.25 per week, therefore the claimant should have received pay in the total of £4,867.50. In fact, the claimant only received £148.13 per week, giving a total of £3,258.86. This equates to an underpayment of £1608.64.

2. The Respondent must pay the national minimum wage shortfall of £3,464.74 forthwith.

Employment Judge Smail
Date: 27 August 2021

Judgment sent to parties: 5 October 2021

FOR THE TRIBUNAL OFFICE