



EMPLOYMENT TRIBUNALS

Claimant: Mrs N Jain

Respondent: Wawwa Limited

Heard at: Manchester (by CVP)

On: 2 November 2021

Before: Employment Judge Ross

REPRESENTATION:

Claimant: In person

Respondent: Mr Geaney, Director

JUDGMENT

The judgment of the Tribunal is that:

1. The claimant's claim for unlawful deduction from wages pursuant to section 13 Employment Rights Act 1996 and a failure to pay accrued but untaken holidays on termination of employment are determined as follows:

- (1) The claimant's claim that the amount of wages transferred on 17 December 2019 was £50 less than the amount on the salary slip is not well-founded and fails.
- (2) The claimant's claim for eight days' holiday pay over the Christmas break in December 2019 is not well-founded and fails.
- (3) The claimant's claim that the respondent owes her pay for two days holiday on 3 and 6 January 2020 is not well-founded and fails.
- (4) The claimant's claim for £5.45, alleging the respondent incorrectly calculated her daily salary rate for February 2020 is not well-founded and fails.
- (5) The claimant's claim for interest in relation to the late payment of salary is well-founded and succeeds. The claimant is entitled to interest in the sum of £32.72 payable by the respondent to the claimant within 14 days of the date of this Judgment.

2. The respondent's claim for a preparation time order under rule 76 of the Employment Tribunal Rules of Procedure 2013 is not well-founded and fails.

Employment Judge Ross

Date: 8 November 2021

JUDGMENT SENT TO THE PARTIES ON

19 November 2021

FOR THE TRIBUNAL OFFICE

Note

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 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: **2402300/2020**

Name of case: **Mrs N Jain** v **Wawwa Limited**

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: 19 November 2021

"the calculation day" is: 20 November 2021

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office