



EMPLOYMENT TRIBUNALS

Claimant: Ms. L. J. Pavis

Respondent: Apater UK Ltd

JUDGMENT

Rule 21 Employment Tribunal Rules

1. The respondent has failed to file an ET3 Grounds of Resistance in this case.
2. Having considered the ET1, REJ Wade has decided that a determination of the claim can properly be made without a hearing and the Judgment of the Tribunal, made under Rule 21 of the Employment Tribunals (Constitute and Rules of Procedure) Regulations 2013, is as set out below:
3. The respondent has unlawfully failed to pay the claimant wages owed to her.
4. The Tribunal orders the respondent to pay the claimant a total of £159,924.90, the claimant's schedule of loss is attached to this document (see Annex A).
5. Furthermore, the respondent shall account to HMRC for any tax and national insurance due on this amount.

Regional Employment Judge Wade

Date: 16th December 2021

JUDGMENT SENT TO THE PARTIES ON

16/12/2021

FOR THE TRIBUNAL OFFICE

IN THE LONDON CENTRAL EMPLOYMENT TRIBUNALS

CASE NO: 220278/2021

BETWEEN:

Louisa J Pavis

Claimant

-and-

Apater UK

Respondent

SCHEDULE OF LOSS

Name	Louisa Pavis
Date of Birth	12 May 1982
Date commenced employment	6 December 2019
Effective date of termination ('EDT')	19 September 2021
Age at EDT	39
Completed years of continuous employment	1

Gross pay per annum	£145,000
Gross basic pay per month	£12,083.33
Net pay per month	£7,206.65

Pension: Employer Contribution per month (gross)	£109.41
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Unlawful Deductions from Wages		
(a) Salary		
November 2020		
£12,083.33 less £2,500	£9,583.33	
December 2020		
£12,083.33 less £2,500	£9,583.33	
January 2021		
£12,083.33 less £2,500	£9,583.33	
February 2021		
£12,083.33 less £2,500	£9,583.33	
March 2021		
£12,083.33 less £2,500	£9,583.33	
April 2021		
£12,083.33 less £2,500	£9,583.33	
May 2021		
£12,083.33 less £2,500	£9,583.33	
June 2021		
£12,083.33 less £2,500	£9,583.33	
The Claimant handed her notice on 16 July 2021. The Respondent has not acknowledge it and has failed to make any		

<p>payment to the Claimant in July 2021. The Claimant expects to be paid at the end of each month and suspects the Respondent will also fail to pay her the amounts owed to her in August 2021 and until the end of her notice period on 16 September 2021.</p> <p>The Claimant will notify the Tribunal if any further sums are received from the Respondent in respect of her wages, and these will be deducted from this table.</p>	<p>£24,166.66</p> <p>£8,923.04</p>	<p><u>£109,756.34</u></p>
<p>(b) Holiday pay</p> <p>The Claimant has not received holiday pay since 6 December 2019.</p> <p>January – December 2020</p> <p>Daily rate = £557.69 (gross)</p> <p>£557.69 x 30 =</p> <p>January – September 2021</p> <p>£557.69 x 21.25 days accrued = £11,850.91</p>	<p>£16,730.70</p> <p>£11,850.91</p>	<p><u>£28,581.61</u></p>
<p>(c) Pension loss</p> <p>The Claimant's payslips show that she was receiving £109.65 per month in Employer's pension contribution.</p> <p>November 2020</p> <p>£109.65 less £59.40</p> <p>December 2020</p> <p>£109.65 less £59.40</p> <p>January 2021</p>	<p>£50.01</p> <p>£50.01</p>	

£109.65 less £59.40		
February 2021	£50.01	
£109.65 less £59.40		
March 2021	£50.01	
£109.65 less £59.40		
April 2021	£50.01	
£109.65 less £59.40		
May 2021	£50.01	
£109.65 less £59.40		
June 2021	£50.01	
£109.65 less £59.40		
The Claimant has not received any pay in July 2021 and is seeking a payment covering until the end of her notice on 16 September 2021.	£50.01	
July 2021	£109.65	
£109.65	£109.65	
August 2021		
£109.65		
September 2021 (16 days x £3.65)	£58.48	<u>£679.78</u>
£58.48		
(e) Other losses: The Claimant has suffered from financial losses arising from the deductions made by the Respondent, under s.24(2) ERA 1996. Product fee for a new loan: £999 Early Re-payment charge of £2,278.74 Mortgage Interest: £17,629.43		<u>£20,907.17</u>
TOTAL LOSSES		<u>£159,924.90</u>