



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs. R. Kayastha  
**Respondent:** le Beauty Boudoir 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 failed to pay the claimant wages owed to her in addition to failing to make a redundancy payment and failing to allow the claimant to take annual leave or to pay her in lieu.
  4. Having assessed the claimant's schedule of loss (Annex 1), the Tribunal is of the view that it does not have the power to award the claimant the HMRC Furlough payments nor can the Tribunal award compensation in this matter. Accordingly, these amounts have been omitted from the award of the Tribunal.
  5. The Tribunal orders the respondent to pay the claimant £5178.40 and to account to HMRC for any tax and national insurance due on this amount.
  6. If the claimant wishes to dispute the amount owed and believes that £9250.40 is payable, she should write to the Tribunal within 7 days of this judgment being sent to her and set out her reasons for seeking the full amount.
  7. Any submissions the claimant wishes to make should be sent by e-mail to: [londoncentralet@justice.gov.uk](mailto:londoncentralet@justice.gov.uk). The claimant should ensure she quotes her tribunal reference (2207390/2020) in the subject heading of her e-mail.
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Regional Employment Judge Wade

Date: 28<sup>th</sup> February 2022

JUDGMENT SENT TO THE PARTIES ON

01/03/2022

FOR THE TRIBUNAL OFFICE

**ANNEX 1 (Breakdown of amount sought by Claimant)**

As per my Employment Tribunal claimed form submitted on 30/11/2020

Description	Due	Received
4th Jan 2020 to 31st August Holiday 88.5 hrs @11.00 p.h. (before tax )	£973.50	
30th June 2020 Furlough - - - - - (after tax )	£860.90	
31st July 3 wks worked (9 days x 8 hrs x £11.00) before tax	£792.00	
31 July 2020 (2wks Furlough (5days x 8x11.00)=£440 of 80%) (Furlough period)	£352.00	
August 2020 3 days Sick Leave (3x 8x11) before/after tax	£264.00	
August 2020 3days worked(3 x 8x11.00) before tax	£264.00	
August 2020 (2wks closed for Covid-19) 6days x8 x £11.00 ) before tax	£528.00	
30th Sep 2020 Redundancy /Lieu (13days x 8x £11.00 ) before tax	£1144.00	
<u>Behalf of ACAS threw following amount received in to my bank as below:</u> On 21 <sup>st</sup> Jan 2021		£877
On 22 <sup>st</sup> Jan 2021		£877
<u>On 1<sup>st</sup> Nov 2021</u> as per <b>HM Revenue &amp; Customs record shows ;</b> <b>Le` Beauty boudoir</b> taken Furlough behalf of my name as below date and year	£942	
: 30 <sup>th</sup> June 2020	£942	
30 <sup>th</sup> July 2020	£942	
30 <sup>th</sup> Aug 2020		
<b>Compensation</b> as per Judge decision / currently my request is	£3000	
Total	£11004.40	£1754.00
<b>Total Balance due in GBP (before tax /after tax)</b>	<b>£9250.40</b>	