



EMPLOYMENT TRIBUNALS

Claimant: Ms Rhona Clegg

Respondent: Ryan Davies

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

The time for presenting a response having expired, and no valid response having been presented by the respondent within the prescribed time limit,

It is the judgment of the Tribunal that:

1. The respondent has made unauthorised deductions from the claimant's wages of, and is ordered to pay the claimant , the sum of **£1,136.70** The respondent is to pay the gross sum due less the appropriate deductions for tax and national insurance, if any, for which he must account to HMRC.
2. The claimant's complaint of failure to pay to the claimant an amount due to the claimant under regulation 14 (2) or regulation 16 (1) of the Working Time Regulations 1998 is well-founded and the respondent shall pay to the claimant the sum of **£160.00** in respect of 2.33 hours untaken but accrued holiday (holiday pay). The respondent is to pay the gross sum due less the appropriate deductions for tax and national insurance, if any, for which he must account to HMRC.
3. The respondent failed to provide the claimant with itemised payslips, but, as the unnotified deductions have been awarded as unlawful deductions, the Tribunal makes no further financial award.

4. The respondent was in breach of his duty under s.1 of the Employment Rights Act 1996 to provide the claimant with a written statement of particulars of her employment, and the Tribunal makes an additional award , pursuant to s.38 of the Employment Act 2002, of two weeks pay (the amount sought by the claimant) in the sum of £320.00. This award is not subject to any deductions

Employment Judge Holmes

29 April 2022

JUDGMENT SENT TO THE PARTIES ON

4 May 2022

.....
AND ENTERED IN THE REGISTER

.....
FOR THE TRIBUNAL OFFICE



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2411162/2021**
Ms Rhona Clegg v Ryan Davies

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 decision day" is: 4 May 2022

"the calculation day" is: 5 May 2022

"the stipulated rate of interest" is: **8%**

Mr P Guilfoyle
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/collections/employment-tribunal-forms

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.