



EMPLOYMENT TRIBUNALS

Claimant: Ms. K Mieczkowska

Respondent: 108 (Darlington) Limited t/a The Chinese Buffet (in voluntary liquidation)

Heard at: Newcastle CFCTC

On: 1 June 2022

Before: Employment Judge Newburn

Representation

Claimant: Not in Attendance

(Polish interpreter in attendance, Ms M Dynos)

Respondent: Mr P Wu (Director)

JUDGMENT

The hearing proceeded in the Claimant's absence pursuant to Rule 47 of the Employment Tribunal Rules of Procedure 2013.

The Judgment of the Tribunal is as follows:

1. The Claimant's claim for unauthorised deduction from wages with respect to the period 11 October 2021 to 14 February 2022 is not well-founded and is dismissed.
2. The Respondent accepts sums are due to the Claimant in respect of her claims for a redundancy payment, notice pay, and holiday pay.
3. The Claimant's claim for a redundancy payment is well founded and succeeds. The Respondent is ordered to pay the Claimant the sum of **£527.48**.
4. The Claimant's claim for notice pay is well founded and succeeds. The Respondent is ordered to pay to the Claimant the sum of **£527.48**, this being 4 weeks pay at an average weekly pay of £131.87. This is a gross sum and the Respondent shall deduct, and account to HMRC for, any tax and national insurance due upon it.

5. The Claimant's claim for holiday pay is well founded and succeeds. The Respondent is ordered to pay to the Claimant the sum of **£512.97** this being 3.89 weeks of holiday at an average weekly pay of £131.87 per week. This is a gross sum and the Respondent shall deduct, and account to HMRC for, any tax and national insurance due upon it.

Employment Judge Newburn

Date: 1 June 2022

Note

Written reasons will not be provided unless 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.