



EMPLOYMENT TRIBUNALS

Claimant: Miss Mia Udeen
Respondent: 13 Rivers Trust
Heard at: East London Hearing Centre (by Cloud Video Platform)
On: 19th July 2022
Before: Employment Judge Travers

Representation

Claimant: Mr L. Liberti, solicitor, Clements Solicitors
Respondent: Mr J Davies, counsel, instructed by Mr K. Moyeed of Gunnercooke LLP

This has been a remote hearing which has not been objected to by the parties. The form of remote hearing was by Cloud Video Platform. A face to face hearing was not held because the relevant matters could be determined in a remote hearing.

JUDGMENT

1. The tribunal considers that it was not reasonably practicable for the claimant to present her complaint in respect of unauthorised deductions of wages within 3 months of the last of the series of unauthorised deductions. The tribunal considers that the complaint was presented within a reasonable period thereafter.
2. The tribunal considers that it was not reasonably practicable for the claimant to present her complaint under the Working Time Regulations 1998 within 3 months of the date on which the payment of her holiday pay should have been made. The tribunal considers that the complaint was presented within a reasonable period thereafter.
3. It is declared that the respondent made unauthorised deductions from the claimant's wages contrary to section 13 of the Employment Rights Act 1996. The respondent is ordered to pay the claimant the total of the unauthorised deductions which is £5,000 gross.

4. The respondent is ordered to pay the claimant £717.66 gross in respect of outstanding holiday pay. This has been calculated on the basis of 9.33 days at £79.92 per day.
5. The total sum payable by the respondent to the claimant in respect of both her claims is therefore £5,717.66 gross.

Employment Judge Travers
Date: 19 July 2022