



EMPLOYMENT TRIBUNALS

Claimant: Ms J. Machin

Respondent: Drive Software Solutions Ltd

Heard at: London Central (CVP)

On: 15 August 2022

Before: Tribunal Judge Peer acting as an Employment Judge

Representation:

Claimant: In person

Respondent: No appearance

JUDGMENT

Employment Tribunal Procedure Rules 2013 – Rule 21

- (1) The respondent having failed to attend the hearing or defend the claim issued on 20 June 2022:
 - a. discretion is not exercised to postpone the hearing under rule 30A(2) of the Employment Tribunal Procedure Rules 2013;
 - b. the respondent failed to make an application for an extension of time to defend the claim which complied with rule 20 of the Employment Tribunal Procedure Rules 2013 and an extension of time is refused;
 - c. a determination can properly be made of the claim in accordance with rule 21 of the Procedure Rules.
- (2) The respondent unlawfully deducted wages from the claimant and the respondent is ordered to pay the claimant the sum of £21,041.87 being the total gross sum deducted.
- (3) The claimant's claim for holiday pay succeeds and the respondent is ordered to pay the claimant the sum of £3,807.69 being the gross sum due.
- (4) The respondent is therefore ordered to pay the claimant £24,849.56 in total subject to deduction of tax and any national insurance contributions due before payment to the claimant.
- (5) The claimant's reference to the Tribunal due to the respondent's failure to provide an itemised pay statement for April 2022 and to determine the particulars that ought to have been included succeeds and the tribunal

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declares that the particulars that ought to be included in such a statement are the gross amount of wages, any deductions, and the net amount of wages due.

Tribunal Judge Peer acting as an Employment Judge

Date 15 August 2022

JUDGMENT SENT TO THE PARTIES ON

16th August 2022

FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or 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.