

Case Numbers:
2407896/2022
2407964/2022
2408210/2022
2408211/2022
2408295/2022



EMPLOYMENT TRIBUNALS

Claimants: Mr B Olakunde
Mr O Adaramola
Miss W Gorka
Mr A Ogundare

Respondents: KGS Care Services Ltd
Awan Maria

Heard at: Liverpool **On:** 21 February 2023

Before: Employment Judge Horne

Representatives

For the claimants: each in person

For the respondents: did not appear, not represented, participation restricted under rule 21 of the Employment Tribunal Rules of Procedure 2013

JUDGMENT

General

1. The claim against Awan Maria is dismissed.
2. In this judgment, "KGS" means KGS Care Services Ltd.

Mr Olakunde

3. KGS made an unauthorised deduction from Mr Olakunde's wages and is ordered to pay him the sum of £969.00.
4. KGS made an unauthorised deduction from the claimant's holiday pay and is ordered to pay him a further sum of £247.00
5. The total amount payable to Mr Olakunde is £1,216.00.

Mr Adaramola

6. KGS made an unauthorised deduction from Mr Adamarola's wages and is ordered to pay him the sum of £2,437.80.

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Miss Gorka

7. KGS made an unauthorised deduction from Miss Gorka's wages and is ordered to pay her the sum of £1,540.00.

Mr Ogundare

8. KGS made an unauthorised deduction from Mr Ogundare's wages and is ordered to pay him the sum of £1,190.00.

Employment Judge Horne
21 February 2023

SENT TO THE PARTIES ON
28 February 2023

FOR THE TRIBUNAL OFFICE

Note:

All judgment sums were awarded gross, before deductions for tax and national insurance. If KGS does not deduct tax and national insurance on the judgment sums, the claimants may be liable to His Majesty's Revenue and Customs to pay tax and national insurance on those amounts.

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NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2407896/2022 & Others**

Name of case: **Mr B Olakunde** v **KGS Care Services Ltd**
& Others

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 28 February 2023

the calculation day in this case is: 1 March 2023

the stipulated rate of interest is: **8% per annum**.

Mr S Artingstall
For the Employment Tribunal Office

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GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:
www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.