



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Ms Kathryn Pole

v

Ms Chezelle Bajwa

Heard at: Watford by CVP
On: 7 March 2023
Before: Employment Judge Alliott (sitting alone)

Appearances

For the Claimant: In person (assisted by her mother Mrs Leslie Pole)

For the Respondent: In person

JUDGMENT

The judgment of the tribunal is that:

1. The respondent has made unauthorised deductions of wages and/or is in breach of contract and is ordered to pay the claimant the gross sum of £175.48

REASONS

1. Although the response has been rejected, I allowed the respondent to participate and make representations.
2. The respondent asserts that the claimant's contract of employment was terminated in December 2021 with a month's notice, expiring at the end of January 2022. The claimant told me she was paid to the end of January 2022.
3. Thereafter the respondent told me the claimant worked as a 'freelance' groom. Under her contract of employment, the claimant was paid the apprentice rate of £4.30 per hour. As a 'freelance' she would be entitled to the development rate for 18–20-year-olds of £6.56 per hour. In the circumstances I am prepared to accept the respondent's position as it is to the benefit of the claimant.

4. The claimant worked 3 1/2 days from 1-4 February 2022, 26.75 hours. I accept that she was not paid. Consequently, I find that the respondent has made unauthorised deductions from the claimant's wages and/or is in breach of contract.
5. $26.75 \times £6.56 = £175.48$.
6. The claimant confirmed she was making no claim for statutory sick pay, holiday pay or notice pay.

Employment Judge Alliot

Date: 8 March 2023

Sent to the parties on: 07/4/2023

Naren Gotecha

For the Tribunal Office