



EMPLOYMENT TRIBUNALS

Claimant: Ms L Szymczewska

Respondent: Leeds Airport Parking Services Ltd

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claim was issued in the Leeds Employment Tribunals on 5 December 2022. The respondent has failed to present a valid response on time. The Employment Judge has decided that a determination can properly be made of the claim, or part of it, in accordance with rule 21 of the Rules of Procedure.
2. The Tribunal declares that the respondent has made unauthorised deductions from wages from Ms Szymczewska's wages. Ms Szymczewska's complaints under s13 of the Employment Rights Act 1996 succeed in relation to:
 - a. under-payment of wages relating to the entire period of Ms Szymczewska's employment from 16 December 2021 to 18 June 2022 (inclusive); and
 - b. non-payment of accrued holiday pay on termination of employment.
3. The Respondent shall pay Ms Szymczewska the gross amounts set out below in relation to her wages:

Unauthorised deductions from wages	Wages payable (at applicable national minimum wages rate)
Under-payment of wages from 16 December 2021 to 18 June 2022	£2,960.25
Accrued holiday pay on termination of employment	£647.85 (Calculated on the basis of 12.07% of 565 hours worked during employment)
Total unauthorised deductions	£3,608.1

4. Ms Szymczewska's complaint of non-payment of statutory notice pay succeeds. The Respondent shall pay Ms Szymczewska the gross amount set out below:

Notice Pay

£204.86 (calculated on the basis of 565 hours divided by 26.2 weeks' employment, multiplied by £9.50 per hour)

Employment Judge Davies
27 April 2023