



EMPLOYMENT TRIBUNALS

Claimant: Mr C E Rada

Respondent: 1. Dream Apartments Newcastle Ltd
2. Dream Apartments Middlesbrough Ltd

Heard at: Newcastle Employment Tribunal (remotely by CVP)

On: 21 April 2023

Before: Employment Judge Sweeney

Representation

Claimant: Ingdira Batista Diaz, lay representative
Respondent: No attendance
**Interpreter to
The Tribunal:** Francisca Sempere Linares

JUDGMENT

First Respondent

1. The following claims against the **First Respondent** are well-founded and succeed:
 - a. The claim under section 23 Employment Rights Act 1996 for unlawful deduction of wages (arrears of pay) payable on **23 December 2022**. The First Respondent is ordered to pay the Claimant the gross sum of **£211.88**.
 - b. The claim under section 23 Employment Rights Act 1996/regulation 30 Working Time Regulations 1998 ('WTR') for payment of outstanding holiday pay on termination of employment. The First Respondent is ordered to pay the Claimant the gross sum of **£923.08**.
2. The First Respondent is further ordered to pay to the Claimant the amount of **£25** pursuant to section 24(2) as compensation for financial loss attributable to the unlawful deduction of wages and holiday pay on **23 December 2022**.
3. The total amount to be paid by the **First Respondent** is: **£1,159.96**.

Second Respondent

4. The claim against the **Second Respondent** for unlawful deduction of holiday pay under section 23 / regulation 30 WTR was presented outside the time referred to in section 23(2) and regulation 30(2)(a) WTR.
5. The Tribunal was satisfied that it was not reasonably practicable for the complaint to be presented before the end of that period and it was presented within a reasonable period.
6. The claim against the **Second Respondent** under section 23 / regulation 30 is well-founded and succeeds.
7. The **Second Respondent** is ordered to pay to the Claimant the gross sum of **£881**.
8. The total amount ordered to be paid to the Claimant by the **Second Respondent** is **£881**.

Employment Judge Sweeney

Date: **21 April 2023**

Note

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.