



EMPLOYMENT TRIBUNALS

Claimant: Mr C Sahasrabudhe
Respondent: Microstrategies Ltd
Heard at: Watford Employment Tribunal
On: 14 April 2023
Before: Employment Judge Quill (Sitting Alone)

Appearances
For the Claimant: In Person
For the respondent: No appearance or representation

JUDGMENT

1. The respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the gross sum of **£2465.76** (subject to any lawfully required PAYE deductions, but without any other deduction or set off)
2. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the sum of **£265.55** (subject to any lawfully required PAYE deductions, but without any other deduction or set off)

REASONS

1. This hearing took place fully in person. It was a hearing in accordance with Rule 21 of the Employment Tribunals Rules of Procedure. The Respondent had not presented a response to the claim. It was notified of the hearing, but did not attend and did not make any request to participate.
2. The Claimant explained his claim to me and provided a written copy of his contract. I was satisfied that it was appropriate for me to issue a judgment. I gave reasons orally at the hearing. The reasons were as follows.
3. The Claimant was employed by the Respondent from 26 July 2021 to 30 August 2021, which is a total of 36 days.
4. On Monday 23 August 2021, the Respondent told the Claimant that it was terminating his employment by giving him one weeks' notice. It told him that

he was not required to attend work during his notice period. The Respondent did not supply the Claimant with this notice in writing, but, other than that, the termination was not a breach of contract, and it was effective to bring an end to the employment contract on 30 August 2021.

5. The Claimant's rate of pay was £25,000 per year. Thus the Respondent ought to have paid him **£2465.76** for the 36 days of his contract. It failed to do so. It failed to pay him at all. This was an unauthorised deduction from wages contrary to Part II of the Employment Rights Act 1996.
6. Under of the Working Time Regulations 1998, the Claimant would have been entitled to 5.6 weeks holiday for a full year. He took no holiday during his employment and received no payment in lieu on termination. The Respondent ought to have paid $(5.6 \times 36/365 \times £25000/52)$, which is **£265.55**. It failed to do so, which is both a breach of of the Working Time Regulations 1998 and an unauthorised deduction from wages.
7. The claim was presented in time (following early conciliation).

Employment Judge Quill

Date: 14 April 2023

JUDGMENT SENT TO THE PARTIES ON

22 May 2023

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FOR THE TRIBUNAL OFFICE

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