# EMPLOYMENT TRIBUNALS

**Claimant:** Smith

**Respondent:** Signature by the Wicks Limited

**Heard at: Exeter (by VHS)**        **On: 9 June 2023**

**Before:** **Employment Judge Oldroyd**

**Appearances**

**For the Claimant: In person**

**For the Respondent: No attendance**

## JUDGMENT

1. The Claimant's claim that the Respondent acted in breach of contract by failing to pay her wages during the period 6 September 2022 to 20 September 2022 in respect of 40 hours of work at a rate of £10 per hour is well founded. The Respondent shall pay the Claimant damages in the sum of £400.

2. The Claimant's claim that the Respondent acted in breach of contract by failing to pay the Claimant holiday pay is well founded. At the date of the termination of the Claimant's employment, she had accrued but not taken 14 days of holiday. On the basis that the Claimant worked, on average, 8 hours each day (at an hourly rate of £10 per hour) the Respondent shall pay the Claimant damages in the sum of £1,120.

3. The Claimant's claim that the Respondent acted in breach of contract by failing to provide her with particulars of employment or pay statements which then caused her to lose the chance to claim maternity allowance is well founded. The Respondent shall pay the Claimant damages in the sum of £1,800 being the maternity allowance that the Claimant was not able to claim (taking into account that maternity allowance is deducted from any universal credit to which the Claimant was entitled).

4. Pursuant to Section 12 Employment Rights Act 1996 it is declared that the Respondent has failed to provide the Claimant with pay statements pursuant to Section 8 Employment Rights Act 1996 during the period 12 March 2022 to 20 September 2022.

**Employment Judge Oldroyd**

Dated: 9 June 2023

Sent to the parties on: 11 July 2023

For the Tribunal Office

*Note:* *Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.*