



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms D Bennett, Ms E Parkes and Ms C Eardley

**Respondent:** UCLA Limited

**Heard at:** Midland West Employment Tribunal via video hearing

**On:** 28 July 2023

**Before:** Employment Judge Fitzgerald

## Representation

Claimants: In person

Respondent: did not attend

# JUDGMENT

1. The Claimant's claims for unlawful deductions of wages are successful and they are awarded loss of earnings from 1 November 2022 until the date they lodged their claims. This is 20 January 2023 for Ms Bennett and Ms Parkes and 28 January 2023 for Ms Eardley.
2. The Respondent deducted half an hour's pay per day worked by the Claimants for a lunch break, but no lunch break was ever taken by any of the Claimants up to the end of November 2022. This amounts to a further unlawful deduction of the Claimant's wages.
3. In respect of Mr Parkes only the Respondent incorrectly paid Ms Parkes at a rate of £9.50 per hour when the correct rate of payment was £9.90 per hour.
4. The Respondent must pay Ms Bennett £3,715.02 gross for unpaid wages and £402 gross for unpaid breaks (subject to a 2 year back-pay cap). This is a total sum of £4,117.02 gross.
5. The Respondent must pay Ms Parkes £1,134.77 gross for unpaid wages, £237.60 gross for unpaid breaks and £105.60 gross for underpayment of wages. This is a sum of £1,477.97 gross.

6. The Respondent must pay Ms Eardley £8,467.75 gross for unpaid wages and £3,644 gross for unpaid breaks. This is a sum of £12,111.75 gross.
7. The Respondent may deduct any necessary amounts for tax and national insurance from the gross sums.

Employment Judge Fitzgerald

31 July 2023

Notes

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.

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