



# EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Nos: 4103043/2023, 4103272/2023, 4103398/2023,

**Ms N Carters**

**Claimants**  
**Represented by:**  
**Mr A Dunn**  
**CAB, Peebles**

**Ms E Borthwick**

**Ms K Purdy**

**Artydough Ltd**

**Respondent**  
**No appearance**

## JUDGMENT

### Rule 21 of the Employment Tribunal Rules of Procedure 2013

No response has been presented to these claims and an Employment Judge has decided to issue the following judgment on the available material under rule 21:

- 1 The respondent has made unauthorised deduction from the claimants' wages in respect of unpaid wages and accrued holiday and has failed to provide the

claimants with statements of terms and conditions as required by section 1 Employment Rights Act 1996, and is ordered to pay the following sums to the claimants.

- 2 In respect of Ms Carters, £3224.84 in unpaid wages and £220.80 being two weeks' pay for failing to provide a statement of terms and conditions. As the claimant is still in employment and no evidence of her having made a request and been refused annual leave, no award in respect of holiday pay is made.
- 3 In respect of Ms Borthwick, £1,512.28 in unpaid wages, £423.36 in unpaid holiday pay and £687.72 being two weeks' pay for failing to provide a statement of terms and conditions.
- 4 In respect of Ms Purdy, £586.91 in respect of unpaid wages, £323.02 in respect of unpaid holiday pay and £532.46 being two weeks' pay for failing to provide a statement of terms and conditions.
- 5 The respondent shall be at liberty to deduct from the above sums prior to making payment to the claimant such amounts of Income Tax and Employee National Insurance Contributions (if any) as it may be required by law to deduct from a payment of earnings of that amount made to the claimant, and if it does so, duly remits such sums so deducted to HM Revenue and Customs, and provides to the claimant written evidence of the fact and amount of such deductions and of the sums deducted having been remitted to HMRC, payment of the balance to the claimant shall satisfy the requirements of this judgment.

**Employment Judge: A Jones**  
**Date of Judgment: 15 August 2023**  
**Entered in register: 22 August 2023**  
**and copied to parties**