



EMPLOYMENT TRIBUNALS

Claimant: Miss R Pettitt

Respondent: Luna 3-6-5 Healthcare Services Limited

Heard at: Bristol (by VHS) **On:** 15 September 2023

Before: Employment Judge Gray-Jones

Representation

Claimant: In person

Respondent: Did not appear and was not represented

JUDGMENT

1. The Respondent having failed to respond to the claim or submit an extension of time for filing a response a liability judgment in favour of the Claimant is entered pursuant to Rule 21 of the Employment Tribunals Rules 2013.
2. The Tribunal does not have jurisdiction to hear the claim for unfair dismissal as the Claimant did not have sufficient qualifying service to bring this claim at the date of termination of her employment. Furthermore, the Claimant's employment had not terminated at the date of presentation of the claim. Accordingly, the claim for unfair dismissal is dismissed.
3. The claim for unauthorised deductions from wages is well-founded. The Respondent is ordered to pay the Claimant the sum of **£842.08** gross.
4. The Claimant is permitted to amend her claim for holiday pay to bring a claim in respect of holiday pay accrued and outstanding on termination of employment under the Working Time Regulations 1998. The Respondent did not pay the Claimant in respect of her entitlement to such accrued annual leave and accordingly, the claim for holiday pay succeeds. The Respondent is ordered to pay the Claimant the sum of **£382.06** gross.
5. The total award is therefore **£1224.14**.

Employment Judge David Gray-Jones

Date: 15 September 2023

JUDGMENT SENT TO THE PARTIES ON
04 October 2023 By Mr J McCormick

FOR THE TRIBUNAL OFFICE

Note

Written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.