



EMPLOYMENT TRIBUNALS

Claimant: Mrs Rebecca Bush
Respondent: White's Care Limited
Heard at: Norwich Employment Tribunal
On: 21 April 2023
Before: Employment Judge Hutchings

Representation

Claimant: Ms Gilson (lay representative)
Respondent: Ms Barlay (Peninsula)

LIABILITY AND REMEDY JUDGMENT

RULE 21 JUDGMENT Employment Tribunals Rules of Procedure 2013

1. This amended judgment is issued pursuant to Rule 69 of the Employment Tribunal Rules of Procedure 2013 which allows an Employment Judge to correct any clerical mistake or other accidental slip or omission in any order, judgment or other document produced by a Tribunal.
2. There was an accidental slip in totalling the awards made in the Judgment dated 21 April 2023 which has been corrected (underlined) below.
3. The claim was issued in the Employment Tribunals on 1 November 2021.
4. The response the respondent says it submitted on 23 December 2021 was not received by the Employment Tribunal.
5. The respondent did not attend the hearing on 1 March 2023 at which the respondent's reconsideration request dated 30 December 2022 would have been considered and at which Employment Judge Postle made orders for the hearing on 21 April 2023 to determine how that hearing would proceed on liability, reconsideration and remedy.
6. The respondent and its representative having failed to comply with any of the

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Orders made by Judge Postle on 1 March 2023 and sent to the parties on 26 March 2023, there is no response before the Employment Tribunal and given the respondent's failure to comply with the Orders the reconsideration request could not proceed. Accordingly, Judgment on liability is entered for the claimant.

7. In accordance with rule 21 of the Rules of Procedure the claimants claims of unlawful deduction from wages and holiday pay are upheld and the respondent must pay the claimant £1,206.50 as follows:
 - a. The respondent has made unauthorised deductions from the claimant's wages and must pay the claimant £470 gross.
 - b. The respondent has failed to pay the claimant's holiday entitlement and must pay the claimant £652.50.
 - c. The respondent must pay the claimant £84 preparation time costs as ordered by Judge Postle on 1 March 2023.

Employment Judge Hutchings

Date: 21 April 2023

Amended date: 10 October 2023

JUDGMENT SENT TO THE PARTIES ON

13 June 2023

FOR THE TRIBUNAL OFFICE

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.

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.