



EMPLOYMENT TRIBUNALS

Claimant: Ms Nicola Harris

Respondent: Alvechurch Cafe Morso Ltd, trading as Café Morso
[company number 10649617]

RULE 21 HEARING

Heard at: Birmingham

On: 13 October 2023

Before: Employment Judge Camp

Appearances

For the Claimant: in person (by video / CVP)

For the Respondent: no appearance

RULE 21 JUDGMENT

1. Andy (Andrew) Rance is removed as a respondent.
2. The name of the remaining respondent (the "Respondent") is changed to (as above): Alvechurch Cafe Morso Ltd, trading as Café Morso.
3. The Respondent made unauthorised deductions from the Claimant's wages totalling £1331.29, made up of £635.84 shown on wage slips that was not in fact paid to her and a further £695.45 that the Respondent told HMRC it had paid to her when it had not in fact done so.
4. The Respondent must pay the Claimant compensation for accrued but untaken annual leave on the termination of employment in accordance with the Working Time Regulations 1998 totalling £1003.20 (17.6 days at £57 per day).
5. When these proceedings were begun the Respondent was in breach of its duty under section 1(1) of the Employment Rights Act 1996 and it must pay the Claimant two weeks' pay in accordance with section 38 of the Employment Act 2002: £570.
6. The Respondent must pay the Claimant a total sum of **£2904.49** (£1331.29 + £1003.20 + £570).

7. Reasons for this decision were given orally. Written reasons will not be provided unless asked for by a written request presented within 14 days of the sending of this written record of the decision.

Employment Judge Camp

Signed on 15/10/2023