



EMPLOYMENT TRIBUNALS

Claimants: (1) Miss Faith Flanagan
(2) Mr Jose Martins
(3) Mr Jamie Goncalves

Respondent Global Hospitality Ltd

Representation:

Claimants In person

Respondent No appearance

JUDGMENT

1. Judgment is given in respect of the claims by the second and third claimants in default of any response to the claims.
2. In respect of the first claimant, the response is struck out and judgment is given for the claimant, the respondent having failed to attend.
3. The sums awarded are as follows:
 - a) For Miss Flanagan, £390 in respect of unlawful deduction from wages and £582 in respect of holiday pay, amounting to £972.
 - b) For Mr Martins, £1,788.46 in respect of unlawful deduction from wages and £408.79 in respect of holiday pay, amounting to £2,197.25
 - c) For Mr Goncalves, £579.93 in respect of unlawful deduction from wages.
4. Applying the guidance in **Walters t/a Rosewood v Barik UKEAT/0053/16/BA**, the award in each case is a gross amount which the respondent can satisfy by payment to the claimant of the net amount due and payment to HMRC of any tax and national insurance which falls to be deducted at source.

REASONS

1. The claimants all worked together as bar staff at the respondent's premises into Tooting and left together in November 2022. They all claim not to have been paid the wages or holiday pay they were entitled to following their resignation.
2. Although not yet formally consolidated as a group, this hearing was listed as a preliminary hearing to consider their claims and make suitable directions.
3. A response was made to the claim from Miss Flanagan but not to the other two claims. The respondent did not attend the hearing and did not answer the phone in response to a call from the tribunal staff.
4. Rule 47 of the Employment Tribunal Rules of Procedure gives the Tribunal power to give judgment in the circumstances. Given the modest value of the claims, the clear links between them and the failure of the respondent to respond to two of them, an order striking out the response is proportionate.

Employment Judge Fowell

Date 27 October 2023