



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr K C Yeung

**Respondent:** Phoenix Human Resources Limited

## JUDGMENT UNDER RULE 21

1. The Respondent has failed to file an ET3 and Grounds of Resistance in this case.
2. The claim and the notice of preliminary hearing were sent to the registered address of the company.
3. An email was sent to the Respondent at [bk@phoenixhospitality.uk](mailto:bk@phoenixhospitality.uk) on 9<sup>th</sup> November 2023 ordering it by 4pm on 13 November, to inform the Tribunal and the Claimant whether or not it had submitted a Response to the claim and notifying the Respondent that, if there was no response, the Tribunal was likely simply to issue judgment against the Respondent without further notice.
4. No response has been received to any communications. The Respondent did not attend the preliminary hearing on 15<sup>th</sup> November 2023.
5. In the absence of a Response from the Respondent and having considered the Claim form ( ET1), and heard from the Claimant at the preliminary hearing, EJ Spencer has decided that a determination of the Claimant's claim properly be made without a further hearing.
6. It is adjudged that :
  - a. The Claimant's claim for unpaid wages (to include unpaid employer pension contributions) succeeds, and the Respondent is ordered to pay the Claimant £9,280
  - b. The Claimant's claim for holiday pay succeeds and the Respondent is ordered to pay the Claimant £600
  - c. The Claimant's claim of race discrimination is dismissed on withdrawal.

7. The Tribunal orders the Respondent to pay a total of **£9,880** to the Claimant.

.....  
Employment Judge Spencer  
15 November 2023

Date sent to the parties. 15/11/2023

**Note**

The above award is expressed as a gross figure. Provided that the Respondent makes appropriate deduction in respect of income tax and national insurance and accounts therefore to the proper authorities payment of the Claimant of the net sum will represent a valid discharge of this judgment.