



# THE EMPLOYMENT TRIBUNALS

**Claimants:** Miss D Littlefair (1)  
Miss G Morley (2)

**Respondent:** Edu-Catering North East Limited

**Heard at:** Newcastle Hearing Centre (by CVP) **On:** 24 November 2023

**Before:** Employment Judge Morris (sitting alone)

**Representation:**

**Claimants:** Each in person

**Respondent:** Mr PM Richter, director of the respondent

## JUDGMENT

The Judgment of the Employment Tribunal is as follows:

***Miss D Littlefair***

1. As was conceded by Mr Richter on behalf of the respondent, the claimant's complaint under regulation 30 of the Working Time Regulations 1998 that the respondent failed to pay her the amount due to her under regulation 14 of those Regulations in respect of her entitlement to paid holiday that had accrued but not been taken by her at the termination of her employment is well-founded.
2. In that respect the respondent is ordered to pay to the claimant compensation of £1,320; that sum having initially been calculated as being £1,200 (which sum was agreed by Mr Richter on behalf of the respondent) but then increased by 10% in accordance with section 207A(2) of the Trade Union and Labour Relations (Consolidation) Act 1992.
3. As was conceded by Mr Richter on behalf of the respondent, the claimant's complaint under section 23 of the Employment Rights Act 1996 that the respondent made an unauthorised deduction from her wages contrary to section 13 of that Act (in that it did not pay her the statutory sick pay that was due to her in respect of her 10 days' sickness absence from 22 March 2023 to 4 April 2023) is well-founded.

4. In respect of that unauthorised deduction, by consent, the respondent is ordered to pay to the claimant the sum of £198.70.
5. As was conceded by Mr Richter on behalf of the respondent, the claimant's complaint under section 23 of the Employment Rights Act 1996 that the respondent made an unauthorised deduction from her wages contrary to section 13 of that Act (in that it did not pay her the wages that were due to her in respect of 16 hours' work that she had undertaken in the month of March 2023) is well-founded.
6. In respect of that unauthorised deduction the respondent is ordered to pay to the claimant the sum of £174.24; that sum having initially been calculated as being £158.40 (which sum was agreed by Mr Richter on behalf of the respondent) but then increased by 10% in accordance with section 207A(2) of the Trade Union and Labour Relations (Consolidation) Act 1992.

***Miss G Morley***

7. As was conceded by Mr Richter on behalf of the respondent, the claimant's complaint under regulation 30 of the Working Time Regulations 1998 that the respondent failed to pay her the amount due to her under regulation 14 of those regulations in respect of her entitlement to paid holiday that had accrued but not been taken by her at the termination of her employment is well-founded.
8. In that respect, by consent, the respondent is ordered to pay to the claimant compensation of £1,200.
9. As was conceded by Mr Richter on behalf of the respondent, the claimant's complaint under section 23 of the Employment Rights Act 1996 that the respondent made an unauthorised deduction from her wages contrary to section 13 of that Act (in that it did not pay her the statutory sick pay that was due to her in respect of her 10 days' sickness absence from 22 March 2023 to 4 April 2023) is well-founded.
10. In respect of that unauthorised deduction, by consent, the respondent is ordered to pay to the claimant the sum of £198.70.

***Both claimants***

11. Each of the sums of money referred to in the above paragraphs has been calculated by reference to the gross pay of the particular claimant and any liability to tax or employee's national insurance contributions shall be the liability of that particular claimant alone.

EMPLOYMENT JUDGE MORRIS  
JUDGMENT SIGNED BY EMPLOYMENT  
JUDGE ON 27 November 2023

**Notes**

**Video hearing**

This was a remote hearing, which had not been objected to by the parties. It was conducted by way of the Cloud Video Platform as it was not practicable to convene a face-to-face hearing, no one had requested such a hearing and all the issues could be dealt with by video conference.

**Reasons**

Reasons for the above Judgment having been given orally at the hearing, and no request having been made at the hearing, written reasons will not be provided unless a written request is presented within 14 days of the sending of this written record of the Judgment.

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