



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4106950/2023**

**Miss L Rotabi**

**Claimant**

**The Harbour Galley Ltd**

**Respondents**

## **JUDGMENT**

### **Rule 21 of the Employment Tribunal Rules of Procedure 2013**

No response has been presented to this claim and an Employment Judge has decided to issue the following judgment on the available material under rule 21:

- 1 The respondent has unlawfully withheld wages and is ordered to pay the claimant the gross sum of One Hundred and Eighty One Pounds and Fifty Pence (£181.50) (calculated on the basis of 56.5hrs x £11p/h after £440 having already been paid)
- 2 The respondent having failed to pay the claimant's holiday entitlement is ordered to pay the claimant the sum of Eighty Four Pounds and Seventy Pence (£84.70)( calculated on the basis of 7.7 hrs x £11p/h).

- 3 The respondent having failed to pay the claimant for “tips” is ordered to pay the claimant the sum of Seventy Pounds (£70.00).
  
- 4 The respondent shall be at liberty to deduct from the above sums prior to making payment to the claimant such amounts of Income Tax and Employee National Insurance Contributions (if any) as it may be required by law to deduct from a payment of earnings of that amount made to the claimant, and if it does so, duly remits such sums so deducted to HM Revenue and Customs, and provides to the claimant written evidence of the fact and amount of such deductions and of the sums deducted having been remitted to HMRC, payment of the balance to the claimant shall satisfy the requirements of this judgment.

**Employment Judge: J Hendry**  
**Date of Judgment: 20 December 2023**  
**Entered in register: 21 December 2023**  
**and copied to parties**