



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs T Kilby

**Respondent:** Hamberley Care (Wixams) Ltd

**Heard at:** Watford Employment Tribunal      **On:** 3<sup>rd</sup> January 2024

**Before:** Employment Judge McGregor

**By:** CVP

## Representation

Claimant: In person

Respondent: No attendance

# JUDGMENT

1. The Respondent's name is amended from Elston Manor Care Home to Hamberley Care (Wixams) Ltd.
2. In respect of the Claimant's claim for unauthorised deductions from wages under s13 Employment Rights Act 1996, the complaint is well founded. The Respondent made an unlawful deduction from the Claimant's pay in relation to basic pay between the 2<sup>nd</sup> December 2022 and the 2<sup>nd</sup> January 2023.
3. The claimant's complaint of failure to pay holiday pay under the Working Time Regulations 1998, Reg 30(1)(b) is well founded in respect of accrued, untaken holidays between the 2<sup>nd</sup> December 2022 and the 2<sup>nd</sup> January 2023.
4. Therefore, the Respondent is ordered to pay the Claimant the total sum of **£247.42** (gross) by the 24<sup>th</sup> January 2023.

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Employment Judge McGregor

Date 3<sup>rd</sup> January 2024

JUDGMENT SENT TO THE PARTIES ON

..25 January 2024.....

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FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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