



EMPLOYMENT TRIBUNALS

Claimant: Miss Amy Quinn

Respondent: The Retrofit Team Limited

Heard at: Manchester (in public, by video)

On: 5th February 2024

Before: Employment Judge Cline (sitting alone)

Representation

Claimant: In-person

Respondent: did not attend and was not represented

JUDGMENT

UPON IT BEING RECORDED THAT:

- 1) The Respondent appears to have failed to comply with any of the directions set out in the order of Employment Judge Ross dated 9th August 2023;
- 2) The Respondent appears to have failed to comply with the direction for a response contained in the strike-out warning of Employment Judge Allen dated 30th October 2023;
- 3) The Respondent (through an email from Damian Curran at 9:45 am on the morning of the hearing) informed the Tribunal that they are unable to attend the hearing at “such short notice” and requested alternative dates to be provided, it being noted that the notice of hearing sent to the parties was dated 14th September 2023 (albeit for a hearing at 10:00am which the parties were informed by email on 2nd February 2024 has been changed to 2:15pm); and
- 4) The previous final hearing, due to take place on 10th August 2023, was postponed on 9th August 2023 at the Respondent’s request as they informed the Tribunal that there had been a flood at their premises.

IT IS ORDERED THAT:

- 1) The Respondent’s response is struck out.

- 2) The Claimant's claim for unlawful deduction from wages by way of unpaid wages is well-founded and the Respondent shall pay to the Claimant the gross sum of £717.50.
- 3) The Claimant's claim for unlawful deduction from wages by way of unpaid notice pay is well-founded and the Respondent shall pay to the Claimant the gross sum of £717.50.
- 4) The Respondent shall therefore pay to the Claimant the sum of £1,435, which is the total gross sum deducted from her wages as set out at paragraphs (2) and (3) above. The Claimant is responsible for the payment of any tax or National Insurance.

Employment Judge Cline
Date 5th February 2024

JUDGMENT SENT TO THE PARTIES ON
13 February 2024

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case. Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings. You can access the Direction and the accompanying Guidance here: <https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2406082/2023**

Name of case: **Miss A Quinn** v **The Retrofit Team Limited**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 13 February 2024

the calculation day in this case is: 14 February 2024

the stipulated rate of interest is: **8% per annum**.

Mr S Artingstall
For the Employment Tribunal Office

GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:

www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.