



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr K Wright

**Respondent:** Lets Pay Weekly Ltd Limited

## JUDGMENT

1. The claim for unauthorised deduction of wages is well founded and succeeds.
2. The Respondent is ordered to pay to the Claimant the gross sum of **£531.42** in respect of unpaid wages.
3. The claim for payment of accrued, untaken holiday under regulation 30 Working Time Regulations 1998 is well-founded and succeeds.
  - a. The Respondent is ordered to pay to the Claimant the gross sum of **£145.88**.
4. The claim for breach of contract (notice pay) is well founded and succeeds.
  - a. The Respondent is ordered to pay the Claimant damages in the sum of **£361**.
5. The total amount the Respondent is ordered to pay to the Claimant is **£1,038.30**.

## REASONS

6. The Claimant presented an ET1 on **10 December 2023**. Proceedings were served on the Respondent's registered office, with a response date of **16 January 2024**. No response was returned.
7. Under rule 21 of the Tribunal Rules of Procedure 2013, where on the expiry of the time limit in rule 16 no response has been presented and no application for a reconsideration is outstanding, an employment Judge shall decide whether on the available material, a determination can properly be made of the claim or part of it. If there is, the judge shall issue a judgment, otherwise a hearing must be fixed before a judge alone.
8. The Claimant wrote to the Tribunal, on **20 December 2023** and **14 January 2024** providing some further information relating to his complaint. He had been employed by

the Respondent from **24 July 2023** to **01 September 2023** as an assistant driver on £10.42 gross per hour worked. He worked on average 40 hours a week over that period.

9. In the week commencing **21 August 2023**, the Claimant worked a total of 51 hours. He was due to be paid in respect of that work on **31 August 2023**. He was not paid anything on that date or thereafter in respect of the hours worked.
10. As at the date of termination of his employment on **01 September 2023**, the Claimant had accrued 14 hours untaken holiday. He was entitled to one week's notice of termination of employment. However, the Respondent terminated his employment without notice. The amount of one week's net pay was approximately **£361**.
11. I was satisfied that I had sufficient information to enable me to conclude that the wages which were properly payable to the Claimant on **31 August 2023** were not paid and that the failure to pay amounted to a deduction for which there was no contractual or statutory authority on the part of the Respondent. I was also satisfied on the information provided that the Claimant's employment was terminated without notice, in breach of the obligation to provide one week's notice and that he was entitled to a payment of **£145.81** in respect of outstanding holiday pay. I was therefore able to issue a judgment under rule 21 of the ET Rules.

Employment Judge **Sweeney**

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Date: 25 January 2024