



# THE EMPLOYMENT TRIBUNAL

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**SITTING:** at London South (remote hearing)

**BEFORE:** Employment Judge Tueje

**BETWEEN:**

**MS MONIKA RAK**

**Claimant**

**-and-**

**STR 48 LIMITED trading as ANTIPODEA**

**Respondent**

**ON:** 1<sup>st</sup> May 2024

**Appearances:**

For the Claimant: In person

For the Respondent: No attendance

## **JUDGMENT**

1. The Tribunal shall deal with this claim in the Respondent's absence, for the reasons stated below.
2. The complaint of unauthorised deductions from pay is well-founded. The Respondent made an unauthorised deduction from the Claimant's pay in respect of the period 11<sup>th</sup> September 2023 to 5<sup>th</sup> October 2023. The respondent is ordered to pay to the Claimant the net sum of £1,704.52 deducted from pay.
3. The complaint in respect of holiday pay is well-founded. The Respondent was in breach of contract in failing to pay the Claimant for holidays accrued but untaken at the date employment terminated. The Respondent is ordered to pay the Claimant the sum of £179.52 as damages for breach of contract, representing the net value to the Claimant of the amount due.

## **REASONS**

1. The claim was listed for a remote hearing due to take place on 1<sup>st</sup> May 2024 at 10.00am. The Claimant joined the remote hearing, the Respondent did not.

2. The Claimant provided the Tribunal with the telephone number for the restaurant where she had worked at for the Respondent, and the telephone number for the Respondent's accountant. The Tribunal service called both telephone numbers but received no response; it was not possible to leave a message on either number.
3. The Tribunal was satisfied that the claim form was properly served on the Respondent, and that a copy of the notice of hearing was sent to the Respondent. The Respondent has not returned the response form, nor is there any record on the Tribunal's case file of the Respondent responding to the claim.
4. In the Tribunal's judgment, adjourning the hearing due to the Respondent's non-attendance would be disproportionate. Furthermore, there was sufficient information and evidence to determine the claim in the Respondent's absence.

Employment Judge Tueje  
Date: 01 May 2024