



EMPLOYMENT TRIBUNALS

Claimant: A Cowhig

Respondent: Rascals Playtime Childcare Limited

HELD AT: Newcastle (by video) **ON:** 31 May 2024

BEFORE: Employment Judge Aspden

REPRESENTATION:

Claimant: In person
Respondent No attendance

JUDGMENT

1. The respondent failed to give the claimant itemised pay statements as required by s8 of the Employment Rights Act 1996 between March 2023 and September 2023.
2. In contravention of the Equality Act 2010, the Respondent discriminated against the claimant by failing to provide her with itemised pay statements during her maternity leave. The respondent is ordered to pay to the claimant £500 as compensation.
3. The claimant's claim that the respondent made unauthorised deductions from wages on a number of occasions in 2022 and 2023 by paying wages late is well founded.
4. The claimant's claim that the respondent made unauthorised deductions from her wages by failing to pay the following amounts is well founded:
 - (a) maternity pay of £736.12 for the period 29 August 2023 to 25 September 2023,
 - (b) maternity pay of £184.03 for the period 26 September 2023 to 3 October 2023;
 - (c) holiday pay of £816.75 due under reg 16 of the Working Time Regulations 1998 for leave taken from 4 October 2023 to 18 October 2023;
 - (d) the sum of £840.51 due under reg 14 of the Working Time Regulations 1998 in respect of untaken leave on termination of employment.

5. The respondent is ordered to pay to the claimant the outstanding wages of £2,577.41.
6. In addition, the respondent is ordered to pay the claimant £116 to compensate her for financial loss sustained by her that is attributable to the unlawful deductions from wages.
7. The claimant's claim that the respondent discriminated against her by paying her late and/or by not paying her during her maternity leave is not well founded.

Employment Judge Aspden

Date: 7 June 2024

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.

Recording and Transcription

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, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>