



EMPLOYMENT TRIBUNALS

Claimant: Miss Carly Roberts

Respondent: Mr Alan Proto

Heard at: By video

On: 13 June 2024

Before: Employment Judge S Moore

Representation:
Claimant: In person
Respondent: Did not attend

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claim was issued in the Wales Employment Tribunal on 9 March 2024. The respondent has failed to present a valid response on time. The Employment Judge has decided that a determination can properly be made of the claim, or part of it, in accordance with rule 21 of the Rules of Procedure.
2. The respondent failed to give the claimant written itemised pay statements as required by section 8 Employment Rights Act 1996 in the period June – December 2023.
3. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period 27 November 2023 to 8 December 2023.
4. The respondent shall pay the claimant **£1200.00**, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.
5. The complaint of breach of contract in relation to notice pay is well-founded.

6. The respondent shall pay the claimant **£600.00** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.
7. The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.
8. The respondent shall pay the claimant **£1828.00**. The claimant is responsible for paying any tax or National Insurance.
9. The respondent must pay the claimant **£3628.00** in total.

Employment Judge S Moore

Date: 13 June 2024

JUDGMENT SENT TO THE PARTIES ON
AND ENTERED IN THE REGISTER
FOR THE TRIBUNAL OFFICE Mr N Roche