



EMPLOYMENT TRIBUNALS

Heard at: Croydon (by video) **On:** 20 October 2023

Claimant: Ms Rianna Nelson

Respondent: Shapers (Sydenham) Limited

Before: Employment Judge E Fowell

Representation:

Claimant In Person

Respondent No appearance

JUDGMENT

1. The claimant suffered an unlawful deduction from wages as follows:
 - (a) Notice pay £505.41
 - (b) Holiday pay £328.32
 - (c) Wages £581.40
2. The total amount due is £1,415.13
3. No award is made for a statutory redundancy payment as this liability has been met by the Redundancy Payments Service.
4. Applying the guidance in **Walters t/a Rosewood v Barik UKEAT/0053/16/BA**, the award for unlawful deduction from wages is a gross amount which the respondent can satisfy by payment to the claimant of the net amount due and payment to HMRC of any tax and national insurance which falls to be deducted at source.
5. NB. If the respondent is insolvent, or fails or refuses to pay the above sums following all reasonable steps short of legal proceedings, further compensation may be available from the Redundancy Payments Service.

Employment Judge Fowell

Date 01 July 2024