



EMPLOYMENT TRIBUNALS

Claimant: Mrs C O'Donovan

Respondent: MSP Legal Services LLP

HELD at Teesside Justice Hearing Centre

ON: 15 July 2024

BEFORE: Employment Judge Johnson

REPRESENTATION:

Claimant: In person

Respondent: No attendance no appearance

JUDGMENT

1. The Tribunal is satisfied that it was not reasonably practicable for the claimant to present her complaint/claim for holiday pay, unpaid wages and notice pay before the three-month time limit which expired on 4 July 2023. The claim form was presented on 7 August 2023, which the Tribunal considers to have been within a reasonable period of time after the expiration of the time limit. Time for presentation of the claim form is extended to that date.
2. The claimant's complaint of unauthorised deduction from wages is well founded and succeeds. The respondent is ordered to pay to the claimant the sum of £213.23 in respect of wages unlawfully deducted.
3. The claimant's complaint of unlawful deduction from wages (failure to pay accrued holiday pay) is well founded and succeeds. The respondent is ordered to pay to the claimant the sum of £21.32 in respect of accrued holiday pay.
4. The claimant's complaint of breach of contract (failure to pay notice pay) is well founded and succeeds. The respondent is ordered to pay to the claimant wages in lieu of notice in the sum of £2,558.76.
5. The total sum ordered to be paid by the respondent to the claimant is £2,793.31.
6. All of the above figures are net amounts and the respondent shall be responsible for the payment of any income tax and national insurance contributions thereon.

Employment Judge Johnson

Date: 14 August 2024

Note - 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/>