



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Miss A Grainger

v

Christianna Hava

Heard at: Watford Employment Tribunal (in person)
On: 9 July 2024
Before: Employment Judge Bloch KC

Appearances

For the Claimant: In person
For the Respondent: Did not attend nor represented.

JUDGMENT

1. The respondent has made unauthorised deductions from the claimant's wages and is ordered to pay the claimant the net sum of £2,295.60 comprising:
 - 1.1. 5 weeks unpaid wages @ £375.76 net = £1,878.80
 - 1.2. Untaken and unpaid holiday pay @ £83.36 net per week x 5 = £416.80
 - 1.3. The total net amount payable is £2,295.60.

REASONS

1. The claimant was employed by the respondent as a Beauty Therapist from 1 October 2010 until 6 October 2023. The date of receipt by Acas of the EC notification was 17 October 2023 and the date of issue by Acas of the appropriate certificate was 28 November 2023.
2. On 30 April 2024 the tribunal sent to the respondent a notification under Rule 21 of the Employment Tribunal Rules of Procedure 2013 notifying her that as no response had been received, judgment might now be issued. She (the respondent) was entitled to receive notice of any hearing but might only participate in any hearing to the extent permitted by the Employment Judge who heard the case. Notification of this hearing was given to both parties, the respondent did not appear today. The claimant appeared today before me in person.

3. The claimant gave evidence which I accepted. She had decided to resign from her employment and it was agreed with the respondent that she would work five weeks' notice. At the end of September 2023 the respondent did not pay the claimant her usual monthly wage saying that it would be paid on 9 October. However the respondent did not pay the claimant for the five weeks wages or any part of it.
4. The claimant did not bring all paperwork relevant to the claim of pay and employment records to the tribunal but was able to show me a payslip on her iphone showing her pay on 25 August 2023. This showed that the claimant's net weekly pay was £375.76 (gross £458.48). The claimant was claiming the five weeks unpaid wages at the rate of £375.76 net. The holiday pay was also shown on that payslip as being £83.36 (net) per week.
5. These were the figures upon which the claimant relied and I accepted her evidence supported by the payslip on her iphone to this effect.
6. The claimant accepted that in the circumstances there was no claim for her notice period since that period had been worked by her.
7. Accordingly I awarded the claimant the sums set out above as constituting unauthorised deductions from the claimant's pay.

Employment Judge Bloch KC

Date: 19 July 2024

Sent to the parties on: 23 August 2024

For the Tribunal Office

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/>