



## EMPLOYMENT TRIBUNALS

Claimant  
Miss T Hughes

v

Respondent  
Machine Control Services LTD

Heard at: Southampton Employment tribunal

On: 2 August 2024

Before: Employment Judge Rayner

### Appearances

For the Claimant: In Person

For the Respondent: Did not attend

## JUDGMENT

1. The Complaint of an unlawful deduction from wages is well founded. The Respondent has made an unlawful deduction from the Claimant's wages, and breached her contract of employment, by failing to pay the Claimant the national minimum wage of £10.42 per hour and paying instead the Apprentice rate of £5.29 per hour from 13 June 2023 until 31 July 2023.
2. The Respondent will now pay the Claimant the difference in pay for 7 weeks at 36.5 hours a week, from 13 June 2023 until 31 July 2023, which is **£2043.14**, **and** which is the gross sum deducted. The Claimant is responsible for the payment of any tax or national insurance.
3. The Complaint in respect of holiday pay is well founded. The Respondent has made an unlawful deduction from the Claimant's wages by failing to pay the Claimant for holiday accrued but not taken on termination of employment for the period 13 June 2023 until 31 July 2023.
4. The respondent will now pay the claimant the sum of **£285.51** for 27.4 hours of holiday at the national minimum wage rate of £10.42 per hour. The Claimant is responsible for the payment of any tax or national insurance.

**THE RESPONDENT will now pay the claimant the total sum of £2328.66 (£2043.14 + £285.51).**



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**Employment Judge Rayner**

Dated: 2 August 2024

Sent to the parties on:

12<sup>th</sup> September 2024

For the Tribunal:

*Note: Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.*