



# EMPLOYMENT TRIBUNALS

**Claimant:** R Shaw

**Respondent:** Canny Clever IT Service Centres Limited

## JUDGMENT

### PURSUANT TO RULE 22 OF THE EMPLOYMENT TRIBUNALS RULES OF PROCEDURE 2024

- (1) The claim for unlawful deduction of wages (arrears of pay) is well founded and succeeds. The Respondent is ordered to pay the Claimant the gross sum of **£1,487.20**.
- (2) The claim for payment of holiday pay outstanding on termination of employment under regulation 30 Working Time Regulations 1998 is well founded and succeeds. The Respondent is ordered to pay the Claimant the gross sum of **560.56**.
- (3) The total amount to be paid to the Claimant is **£2,047.76**

## REASONS

1. The Claimant presented an ET1 against the Respondent on **11 June 2025**. No Response to the claim was returned by the Respondent. The Claimant's claim was combined with that of Mr J Abrahams and a case management preliminary hearing in respect of both claims took place on **02 February 2026** before Employment Judge Aspsen. Judge Aspsen directed Mr Shaw to provide some further information in respect of his claims by no later than 09 February 2026. Mr Shaw complied with this order on 02 February. Judge Aspsen directed that, if the Claimant provided the information, the matter was to be referred to a judge to consider whether, under rule 2022, his claims could be determined without the need for a hearing. Under rule 22 of the Tribunal Rules of Procedure 2024 where on the expiry of the time limit in rule 17 no response has been presented and no application for a reconsideration is outstanding, an employment Judge must decide whether on the available material, a determination can properly be

made of the claim or part of it. If there is, the judge must issue a judgment, otherwise a hearing must be fixed before a judge alone.

2. I was satisfied that I had sufficient information to issue a judgment under rule 22 of the ET Rules.
3. The Claimant claimed that he was owed:
  - a. Arrears of pay
  - b. Holiday pay
4. The Claimant was employed from 06 November 2024 to 06 April 2025. His rate of pay was £11.44 per hour.
5. In the period 22 February 2025 to 21 March 2025, he worked his normal 3 days a week (7.5 hours a day). That was a total of 84 hours. In addition, during this period he worked three additional days overtime at his normal hourly rate, which consisted of an additional 25 hours, bringing the total number of hours worked in that period to 109 hours.
6. In the period 22 March to 06 April 2025, he worked 3 days, amounting to 21 hours.
7. Therefore, the total number of hours worked in the period 22 February 2025 to 06 April 2025 was 130. The total amount properly payable for this work was **£1,487.20**. However, the Claimant was not paid for any of it.
8. His holiday year ran from 06 November 2024 to 06 April 2025. As at the date of termination of employment he had accrued 7 days' holiday and had taken none. At a rate of £80.08 a day, he was entitled to a payment in respect of this accrued untaken holiday amounting to **£560.56**. He received no payment in respect of any accrued but untaken holiday.
9. For the above reasons, I was satisfied that I could determine the claim without a hearing and could issue a judgment in respect of the amounts set out above.

Approved by:

**Employment Judge Sweeney**

**23 February 2026**