EMPLOYMENT TRIBUNALS

Claimant: German Mendoza Moreira

Respondent: Catering Co Ltd

Heard at: Croydon

On: 18 March 2026

Before: Employment Judge Liz Ord

Spanish interpreter: Ms M Green

Representation:

Claimant: Mr Alvaro Calero (TU representative)
Respondent: Not attending

JUDGMENT

1. The respondent has made unauthorised deductions from the claimant's wages and is ordered to pay the claimant the gross sum of **£1,795** subject to tax.

2. The respondent has failed to pay accrued holiday pay and is ordered to pay the claimant the gross sum of **£585** subject to tax.

REASONS

Wages

1. The claimant was employed by the respondent until 19 May 2025 on a variable hours contract. His net wages were £16 per hour plus £2 net service charge. The claimant was not paid his May 2025 wages.

2. ACAS early conciliation started on 18 August 2025 and ended on 29 September 2025. The claim form was presented on 23 October 2025. It was in time.

3. During May 2025 the claimant worked 79.75 hours for which he was not paid. He is owed £1,595.00 gross in unpaid wages (16 x 79.75 = 1,276 net; 1276/80 x 100 = 1,595.), and £200 gross unpaid service charge (2 x 79.75 = 159.50 net; 159.50/80 x 100 = 199.375 - say £200 gross).

Holiday pay

4. The respondent's leave year runs from 1 April to 31 March. The claimant was entitled to 28 days annual leave (Full Time Equivalent), including bank holidays. The claimant worked on average £34.57 hours per week or 6.91 hours per day, which is about full time.

5. He accrued annual leave from 1 April 2025 to 19 May 2025, which is 49 days or 0.134 of a year. The number of days holiday accrued is 3.76 (0.134 x 28). The number of hours accrued is 26 hours (3.76 x 6.91).

6. At a rate of £18.00 per hour net (including service charge), the net accrued amount is £468 (26 x 18). The gross accrued amount is £585 (468/80 x 100).

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Employment Judge Ord
Date: 18 March 2026

Sent to the parties on:
Date: 23 March 2026

1. 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.