



EMPLOYMENT TRIBUNALS

Claimant: Samantha Clarke

Respondent: Holiday Homes at Heart Ltd

HELD AT: Leeds Employment Tribunal (By CVP) **ON:** 5 March 2026

BEFORE: Employment Judge Buckley

REPRESENTATION:

Claimant: Ms Ambler (litigation friend)

Respondent: Did not appear.

JUDGMENT (under rule 22) having been sent to the parties and written reasons having been requested by the respondent, the following reasons are provided:

REASONS

1. The respondent failed to present a valid response on time. The respondent was given notice of the final hearing. The respondent applied for a postponement but this was refused. The respondent did not attend the final hearing.
2. I took account of the information in the claim form and in correspondence from the respondent and decided that I had sufficient information to determine the claim.
3. The claim form sets out that holiday pay is calculated on the basis of 1 weeks wage per year based on a rolling 12 week average. The amount claimed by the claimant was calculated on that basis, based on the wages that she had been paid. On that basis I was satisfied that the holiday pay was properly payable under her contract in the amount of £892.30.
4. Although the respondent had not submitted an ET3 it was apparent from the correspondence and the claim form that the respondent asserted that it had withheld the holiday pay because it said that the claimant had falsified her hours and damaged equipment. In the absence of any ET3 or any evidence to support this allegation I was satisfied that the wages were properly payable and that any deduction was unlawful.

Approved by:
Employment Judge Buckley

Date 13 April 2026

JUDGMENT SENT TO THE PARTIES ON

FOR THE TRIBUNAL OFFICE

Notes

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.