



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Ms Tara Ayres

v

PHC Homecare Limited

Heard at: Watford

On: 30 November 2017

Before: Employment Judge Henry

Appearances

For the Claimant: In person

For the Respondent: Not in attendance

JUDGMENT

1. The complaints of unlawful deduction from wages and non-payment of holiday pay succeed. The respondent is ordered to pay compensation to the claimant in the total sum of £2,819.40.

REASONS

1. The claimant was employed by the respondent.
2. Having commenced employment on 18 January 2017 which employment was terminated on 27 July 2017.
3. The respondent failed to pay the claimant the sum of £1,905 which was payable as wages in respect of work performed between 22 June and 27 July 2017.
4. The respondent's failure to pay that sum to the claimant was an unlawful deduction from the claimant's wages contrary to s.13 of the Employment Rights Act 1996.
5. The respondent is accordingly ordered to pay compensation to the claimant in the sum of £1,905.
- 6.

Holiday pay

7. The claimant, whose employment with the respondent ended on 27 July 2017, was entitled under the Working Time Regulations to a payment in lieu of holiday pay on termination of employment. The claimant worked a five-day week at a net weekly pay of £381.
8. The claimant was employed by the respondent for 27 weeks 1 day from 18 January 2017 to 27 July 2017 and had therefore earned 3 weeks' holiday but had taken 3 days leave, leaving a balance of 2 weeks and 3 days for which no payment in lieu was made by the respondent.
9. The respondent is therefore ordered to pay compensation under regulation 30(5) of the Working Time Regulations in the sum of £914.40.
10. The respondent is accordingly ordered to pay the total sum in compensation to the claimant of £2,819.40.

Employment Judge Henry

Date: ...22 January 18.....

Sent to the parties on: ..22 January 18...

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For the Tribunal Office