



EMPLOYMENT TRIBUNALS

Claimant: Miss Marilla O'Donnell

Respondent: Mr Stephen Law and Mr John Anoszczenko
t/a Smart Performance

JUDGMENT

Under Rule 21 of the Employment Tribunals Rules of Procedure 2013.

No Response has been presented within the requisite time limit, and on the basis of the available information before the Employment Judge:

The judgment of the tribunal is:

1. The claim for breach of contract in respect of unpaid expenses is upheld and I award the claimant damages for such breach in the sum of £306.25;
2. The Tribunal declares that the respondents made unauthorised deductions from the claimant's pay and I award the sums of £400.00 for unpaid bonus and £307.70 for unpaid salary for the period from 29 April to 3 May 2018.
3. The Tribunal declares that the respondents failed to pay holiday pay in accordance with the Working Time Regulations 1998 and I order the respondents to pay the sum of £430.78 for 7 days accrued but untaken holiday and £123.08 for unpaid bank holidays to the claimant.
4. No award is made for unpaid SSP as the Tribunal do not have jurisdiction to determine that claim.
5. The award to be paid by the respondents to the claimant is £1,567.81 less the payment of £382.70 the claimant received on 11 July 2018 which gives a total award of **£1185.11**.

The above sums have been calculated gross and the claimant may have a liability for tax and national insurance.

Employment Judge Monk

Date ____ 16 November 2018 _