



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Miss B Marsh

v

Daniel Parkinson

Heard at: Cambridge

On: 15 May 2018

Before: Employment Judge M Bloom

Appearances

For the Claimant: In person.

For the Respondent: Did not attend and was not represented.

JUDGMENT

1. The respondent is ordered to pay the claimant the sum of £2,454.54 less appropriate deductions for Income Tax and National Insurance contributions which is a sum representing non-payment of wages owed to the claimant.

REASONS

1. The claimant appeared before me in person bringing a claim for non-payment of wages covering a period 1 September 2017 until 24 November 2017 when she worked for the respondent. The respondent did not enter a Response to the claim and nor has he attended the hearing. The respondent did send an email to the tribunal on 11 May 2018, stating that the business he ran has now closed down and he had moved to Wales to live with his mother. He claimed he has no money.
2. I heard evidence from the claimant. The respondent business was a milkshake shop in March, Cambridgeshire. The claimant originally began work as a waitress, but after 3 weeks was promoted to the position of assistant manager. She did not have a written contract of employment.

3. By verbal agreement the claimant was to be paid at the rate of £7.05 per hour for the month of September 2017. Thereafter her hourly rate was increased by agreement to the sum of £7.15 per hour.
4. I am satisfied having heard the claimant's evidence and looking at the timesheets that she provided to me as well as some payslips that she worked 149.5 hours in September 2017, 126 hours in October 2017 and 112.5 hours in November 2017. Applying the hourly rates to which I have referred she is owed the gross sum in respect of that period £2,759.24.
5. The claimant was never paid any holiday pay and I calculate that she is owed the sum of £300.30 gross in respect of holiday pay covering that period of employment.
6. This means that the claimant is owed by the respondent the total sum of £3,059.54 less any payments made by the respondent to the claimant during the course of her employment. The claimant states, and I accept, she received three cash payments of £80, £500 and £45 towards the sum owed to her. This leaves a balance due to the claimant to be paid by the respondent in the sum of £2,454.54.
7. I order that the respondent shall pay to the claimant that total sum, namely £2,454.54 less appropriate deductions for Income Tax and National Insurance Contributions.

Employment Judge M Bloom

Date: 16 / 5 / 2018

Sent to the parties on:

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For the Tribunal Office