



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms A Higham

**Respondent:** Essex Delta Construction

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The respondent has made unauthorised deductions from the claimant's wages in respect of wages and commission owed and is ordered to pay the claimant the net sum of **£2106.30** as follows:
  - a. Balance of net salary for August 2018 after receipt of £300 cash = £720 net;
  - b. Commission for August (Jerry Jones bathroom) – the greater of 5% of value of contract (£5854.91) or £250 = £292.75;
  - c. Wages for September 2018 = £612 net; and
  - d. Commission for September 2018 (Nina Earl bathroom) – the greater of 5% of value of contract (£9631.00) or £250 = £481.55 net.
2. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the sums of:
  - a. **£163.20** (3.2 days owed at £51 per day); and
  - b. **£525** unpaid leave.
3. The respondent has made unauthorised deductions from the claimant's wages in respect of expenses incurred on behalf of the respondent which he undertook to reimburse (mobile phone use between 8 and 15 August 2018) = **£43**.
4. The respondent has made an unauthorised deduction from the claimant's wages in respect of t-shirts = **£40** net.
5. The respondent has made a further unauthorised deduction from the claimant's wages of **£30.55**
6. The hearing listed for 3 April 2019 is cancelled.

Employment Judge HYDE

Date: 20 March 2019

