



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4106569/2020

Ms J McLellan

Claimant

Awesome Burger Limited

Respondent

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

The judgment of the Employment Tribunal is that the claimant`s complaint(s) of

- (a) Unauthorised deduction from wages and
- (b) Outstanding holiday pay

Succeed and that the respondent shall pay to the claimant the sum of (a) £2,640 as outstanding wages and (b) £750 as outstanding holiday pay

REASONS

1. A copy of the claim form setting out the claimant`s complaints was sent to the respondent on 28 October 2020.

2. In accordance with the terms of Rule 16 of the Rules to be found in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 the respondent was required to enter a response within twenty eight days of the date on which a copy of the claim was sent to it but failed to do so.
3. The Employment Judge decided that on the available material a determination could properly be made without a hearing as to the liability of the respondent for the claim but not in respect of the remedy.
4. On the basis of the available material the Employment Judge decided s/he could properly determine remedy as follows:-
 - (a) In respect of the claimant's complaint of unauthorised deduction from wages the respondent shall pay to the claimant the sum of £2,640.
 - (b) In respect of the claimant's complaint of outstanding holiday pay the respondent shall pay to the claimant the sum of £750.

Employment Judge: Frances Eccles
Date of Judgment: 16 March 2021
Entered in register: 20 March 2021
and copied to parties