



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Mrs Angela McGowan

AND

Respondent

Tuella Limited

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD REMOTELY BY CVP

ON

25 November 2022

EMPLOYMENT JUDGE N J Roper

Representation

For the Claimant: In person

For the Respondent: Did Not Attend

JUDGMENT

The judgment of the tribunal is that the claimant succeeds in her claim for unlawful deduction from wages and the respondent is ordered to pay the claimant the gross sum of £679.00.

REASONS

1. In this case the claimant Mrs Angela McGowan brings monetary claims for unlawful deduction from wages against her ex-employer Tuella Limited. The respondent denies the claims.
2. This has been a remote hearing by video (Cloud Video Platform), with the consent of the parties.
3. I have heard from the claimant. The respondent entered a response seeking to defend the claim and was on notice of this hearing. The respondent failed to attend this hearing.
4. I found the following facts proven on the balance of probabilities after considering the whole of the evidence, both oral and documentary, and after listening to any factual and legal submissions made by and on behalf of the respective parties.
5. The claimant Mrs Angela McGowan was employed by the respondent as a domiciliary care worker at a residential home near Eastleigh from 8 October 2021 until 5 December 2021. The claimant worked a 37-hour week at the rate of £12.00 per hour which was gross weekly

- pay of £444.00. Her normal take home pay was £450.00 per week, which equates to £90.00 per day.
6. The claimant only received her pay sporadically, which did not always tally with her payslips. She asserts that she has never received pay for 49 ½ hours worked at £12.00 per hour, which is a gross sum of £594.00. The claimant also claimed motoring expenses of £85.00 which remain unpaid.
 7. The respondent was not present to dispute these claims and I accept the claimant's evidence in this respect.
 8. Having established the above facts, I now apply the law.
 9. The claimant claims in respect of deductions from wages and expenses which she alleges were not authorised and were therefore unlawful deductions from her wages contrary to section 13 of the Employment Rights Act 1996.
 10. The respondent unlawfully deducted the sum of £594.00 in wages and £85.00 in expenses from sums which were due to the claimant, and accordingly I order the respondent to pay to the claimant the gross sum of £679.00.

Employment Judge N J Roper
Dated 25 November 2022

Judgment sent to Parties on
01 December 2022
By Mr J McCormick

For the Tribunal Office