



EMPLOYMENT TRIBUNALS

Claimant: Miss L Taylor

Respondent: The Education Learning Specialist Ltd

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

The claim was issued in the Leeds Employment Tribunals on 21 September 2022. The respondent has failed to present a valid response on time. The Employment Judge has decided that a determination can properly be made of the claim, or part of it, in accordance with rule 21 of the Rules of Procedure.

1. The Tribunal declares the respondent made unauthorised deductions from the claimant's wages. The respondent is ordered to pay the claimant the gross sum of **£680.76**.
2. The hearing listed on the **30 November 2022** is therefore vacated.

NOTES

1. The claimant stated that she was owed:
 - a. £570 of unpaid wages; and
 - b. 12 hours' overtime.
2. The claimant stated that she was unsure of the amount due for overtime pay.
3. The claimant provided an extract from her contract of employment and payslip. The contract stated that:
 - a. the claimant would be paid £570 per month (based on a pro-rated salary of £18,000 per annum);
 - b. the claimant's working hours would be 14.25 hours per week on a flexible basis;
 - c. the Tribunal has calculated the claimant's gross hourly pay as £9.23 per hour as follows:
 $\text{£}570 \times 12 \text{ months} = \text{£}6840 \text{ pay per annum}$
 $14.25 \text{ hours per week} \times 52 \text{ weeks} = 741 \text{ hours per annum}$
 $\text{£}6840 \text{ divided by } 741 \text{ hours} = \text{£}9.23 \text{ per hour}$
4. The Tribunal has therefore awarded the claimant the gross sum of £110.76 in respect of her claim for overtime pay.

Employment Judge Deeley
23 November 2022