



EMPLOYMENT TRIBUNALS

Claimant: Miss K Kelly

Respondent: Legend Group North West Limited

Heard at: Liverpool (by CVP)

On: 18 November 2022

Before: Employment Judge Robinson
(sitting alone)

REPRESENTATION:

Claimant: In person

Respondent: Did not attend

JUDGMENT

The judgment of the Tribunal is that the claimant's claim for unlawful deduction of wages succeeds and the respondent is ordered to pay to the claimant forthwith the sum of £156.

REASONS

1. The claimant worked for the respondent from 20 June 2022 to 1 July 2022 as a cleaner, working in student accommodation in Liverpool.
2. The claimant was not paid and therefore she contacted her manager, Craig, but received no positive response from him.
3. The claimant contacted ACAS and obtained an early conciliation certificate dated 31 August 2022 and issued proceedings on 1 September 2022 giving the respondent's address as Unit 4, The Workshops, The Foundry Business Centre, Birkenhead, CH41 1EU.
4. There was no response by the respondent but the claimant knows the respondent received the documentation as an ACAS officer informed her that the respondent's officers did not wish to negotiate a settlement.

5. The Registered Office of the respondent company is 65 Corporation Road, Birkenhead, CH41 3NG. No documentation has been sent to that office. However, I am satisfied that the respondent's officers knew of this claim and chose not to serve a response or attend today.

6. The claimant informed me that she was still owed £156 and I consequently order the respondent company to pay that sum forthwith.

Employment Judge Robinson
Date: 5 January 2023

JUDGMENT AND REASONS SENT TO THE PARTIES ON
5 January 2023

FOR THE TRIBUNAL OFFICE

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2406738/2022**

Name of case: **Miss K Kelly** v **Legend Group North
West Limited**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 5 January 2023

the calculation day in this case is: 6 January 2023

the stipulated rate of interest is: **8% per annum**.

Mr S Artingstall
For the Employment Tribunal Office

GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:
www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.