



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms Eliza Islam  
**Respondent:** Becave Limited  
**Heard at:** East London Hearing Centre (by telephone)  
**On:** 23 September 2022  
**Before:** Employment Judge B Elgot

## Representation

Claimant: In person  
Respondent: Did not appear and was not represented.  
No Response has been presented.

The Employment Judge gave judgment as follows:-

## JUDGMENT

### Rule 21 Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013

1. The Respondent has failed to present a response to the claims. It was notified by the Tribunal on 30 August 2022 that a judgment may be issued in default.
2. I am satisfied on the available information provided by the Claimant that a determination can properly be made of her claims for unpaid wages, accrued and unpaid holiday pay and for notice pay as follows:-
3. The claim for unauthorised deductions from wages SUCCEEDS. The Claimant was underpaid for the months of October, November and December 2021 up to and including the date of her summary dismissal without notice on 15 December 2021 and she is entitled to unpaid wages in the total amount of £ 876.57.
4. The Respondent has failed to pay the holiday pay accrued by the Claimant during her period of employment from 6 September 2021 until 15 December 2021. Her claim for holiday pay SUCCEEDS and she is entitled to three days' paid annual leave at the daily rate (calculated gross) of £ 86.80 which is £260.40

5. The Claimant has a contractual right to three months' notice which she did not receive. Her claim for damages for breach of contract also SUCCEEDS and the Respondent is ordered to pay her the sum of £ 5642 (calculated gross) which is calculated by reference to her weekly wage 40 hours x £10.85 = £434 pw x 52 which gives an annual salary of £22,568.
6. The total payable by the Respondent to the Claimant within 28 days is £6778.97 (876.57+260.40+5642)
7. The remaining claims for unfair dismissal for the automatically unfair reason under section 103A Employment Rights Act 1996 and for compensation for detriment by acts and/or omissions of the Respondent done on the ground that the Claimant made protected disclosures under section 47B of the 1996 Act cannot be determined today on the available material and because there is insufficient time to hear them.
8. A further hearing of one day's duration will be fixed under Rule 21 (2) and (3) Employment Tribunals Rules 2013 to decide liability and remedy (if appropriate) in these claims. The Respondent is entitled to notice of any such hearing and to a copy of the decision of the tribunal but will only be entitled to participate to the extent permitted by the Judge.
9. A case management summary and order in relation to the further hearing is attached.

**Employment Judge B Elgot**  
**Date: 26 September 2022**