



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms Herbert

**Respondents:** (1) Rhino Plant Hire Ltd  
(2) Rhino Ready Mix Ltd

**Heard at:** East London Hearing Centre (by Cloud Video Hearing)

**On:** 27 September 2024

**Before:** Employment Judge Iman

## Appearances

**Claimant:** Miss Herbert (self- representing)

## Did not attend:

Respondent		
First Respondent		Rhino Plant Hire Ltd
Second Respondent		Rhino Ready Mix Ltd

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21.

1. The claim was issued in the London East Tribunal on the 08 January 2024. This matter was listed for a final hearing on the 27 November 2024. The First and Second Respondent did not attend and had a failed to provide a response in time. The Judge decided that a determination can properly be made of the claim, in accordance with rule 21 of the Rules of Procedure.
2. The Tribunal was satisfied that the Notice of Hearing had been properly served on the First and Second Respondent. Miss Herbert worked for both Rhino Plant Hire and for Rhino Ready Mix Limited when it was subsequently established. She explained that Rhino Plant Hire Ltd ceased to trade on 06 October 2023 but that Rhino Ready Mix Limited continued to trade and her employment continued without any changes to the terms of her contract and role. The Notice of Hearing was addressed to Rhino Plant Hire Limited and Rhino Ready Mix Limited.

3. A “relevant transfer” from Rhino Pant Hire (The First Respondent) to Ready Mix Limited (The Second Respondent) occurred in accordance with The Transfer of Undertakings (Protection of Employment) Regulations 2006 occurred on the 06 October 2023.
4. The claimant’s complaint of unauthorised deductions from wages is well-founded.
5. The Second Respondent made an unauthorised deduction from the Claimant's wages namely;
  - a) Failed to pay 2 weeks notice period to the sum of £1292.31 (Gross)
  - b) Failed to pay 2 weeks redundancy pay to the sum of £1292.31 (Gross)
  - c) Failed to pay 11 days holiday pay to the sum of £1012.60 (Gross)
6. The Second Respondent shall pay the Claimant (£1291.31+£1292.31 +£1012.60) **£3597.22**. The **Second Respondent** is responsible for deducting and paying any tax or National Insurance at source in respect of the amount owed.

**Employment Judge Iman**  
**Dated: 27 September 2024**

**Note**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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