



EMPLOYMENT TRIBUNALS

Claimant: Mr J Beare

Respondent: Rattan Direct Ltd

HELD AT: Manchester **ON:** 14 February 2017

BEFORE: Employment Judge Tom Ryan

Appearances: Written representations for both parties

RECONSIDERATION JUDGMENT

1. The judgment sent to the parties on 6 October 2016 is varied upon reconsideration.
2. The respondent is ordered to pay the claimant the sum of £222.12 in respect of accrued holiday pay (in substitution for the sum of £1776.92 ordered in the original judgment).
3. For the avoidance of doubt, the order for the respondent to reimburse the claimant in respect of tribunal fees is not varied by this judgment.

REASONS

1. By letter dated 24 October 2016 the respondent queried the amount awarded in respect of accrued holiday pay in the tribunal's judgment.
2. Upon reflection it appeared to me that this was a miscalculation of the sum properly due to the claimant. For that reason, I decided that the judgment should be reconsidered on the tribunal's own initiative in the interests of justice pursuant to rule 70 of the Employment Tribunals Rules of Procedure 2013.
3. In the intervening period before this hearing was due to take place the claimant informed the tribunal that he agreed with the respondent's calculation that the proper sum for accrued holiday pay was £222.12. The parties agreed that I

should reconsider the matter on the basis of the correspondence and without their attendance.

4. In such circumstances it is clearly in the interests of justice that the judgment should be varied upon reconsideration as set out above.

Employment Judge 14 February 2017

JUDGMENT AND REASONS SENT TO THE
PARTIES ON

15 February 2017

FOR THE TRIBUNAL OFFICE



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2402394/2016

Name of Mr J Beare v Rattan Direct Limited
case(s):

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 15 February 2017

"the calculation day" is: **16 February 2017**

"the stipulated rate of interest" is: 8%

MISS K MCDONAGH
For the Employment Tribunal Office