



EMPLOYMENT TRIBUNALS

Claimants: 1. Mrs S Lehka
2. Mrs S Sykes
3. Mrs C Adams

Respondent: The Secretary of State for Business, Energy & Industrial Strategy

HELD AT: Manchester **ON:** 15 March 2017

BEFORE: Employment Judge Feeney

REPRESENTATION:

Claimants: In person
Respondent: Not in attendance

JUDGMENT

The judgment of the Tribunal is that:

The claimants' claims of –

- (1) For a redundancy payment,
- (2) unlawful deduction of wages in respect of unpaid wages and holiday pay
- (3) breach of contract in respect of notice pay

succeed.

The claimants are awarded as follows:

Mrs S Lehka

(1)	Unpaid wages (2 weeks @ £172.80 gross pay per week i.e. £345.60 less £95 received)	£250.60
(2)	Accrued holiday pay (34 weeks x 0.43 i.e. 14.64 days less 11 taken i.e. 3.64 x 6 hours per day)	£157.24
(3)	Notice pay (£164.33 net weekly wage x 9)	£1,478.97
(4)	Redundancy pay (9 complete years of service, 2 x 1 and 7 x 1½ 12.5 x £172.80)	<u>£2,160.00</u>
	Total	<u>£4,046.81</u>

Mrs C Adams

(1)	Unpaid wages (one week x £102.60 gross pay)	£102.60
(2)	Redundancy (15 complete years of service x 1.5 = 22.5 weeks x £102.60)	£2,295.00
(3)	Holiday pay (0.32 x 35 weeks i.e. 11.30 less 4 days taken i.e. 7.3 x 4.7 daily hours)	£249.99
(4)	Notice pay (£90 net weekly wage x 12 weeks)	<u>£1,080.00</u>
	Total	<u>£3,727.59</u>

Mrs S Sykes

(1)	Unpaid wages (miscellaneous underpaid wages in 2016)	£400.00
(2)	Holiday pay (0.32 x 35 = 11.30 less 6 days taken i.e. 5.30 x 5.33 hours per day i.e. £28.24 x 7.20)	£203.39
(3)	Redundancy payment (13 years' x 1½ complete years of service 19.5 weeks x £115.20)	£2,246.40
(4)	Notice pay (£110 net weeklyx12)	<u>£1,320.00</u>
	Total	<u>£4,169.79</u>

2. The recoupment regulations do not apply.

Employment Judge Feeney

Date 17th March 2017

JUDGMENT SENT TO THE PARTIES ON
22 March 2017
FOR THE TRIBUNAL OFFICE

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.



Case Nos. 2404529/2016
2404530/2016
2404531/2016

NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2404529/2016, 2404530/2016, 2404531/2016

Name of case(s):	Mrs S Lehka Mrs S Sykes Mrs C Adams	v	The Secretary of State for Business, Energy & Industrial Strategy
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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: 22 March 2017

"the calculation day" is: **23 March 2017**

"the stipulated rate of interest" is: 8%

MISS L HUNTER
For the Employment Tribunal Office