

Case Nos: 2404529/2016
2404530/2016
2404531/2016



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

CERTIFICATE OF CORRECTION

Employment Tribunals Rules of Procedure 2013

Under the provisions of Rule 69, the judgment sent to the parties on 22 March 2017, is corrected to remove references to breach of contract and unlawful deductions claims and to add that the tribunal has no jurisdiction to consider claims (2) and (3).

Employment Judge Feeney

Date 5th May 2017

SENT TO THE PARTIES ON
10 May 2017

FOR THE TRIBUNAL OFFICE

Important note to parties:

Any dates for the filing of appeals or reviews are not changed by this certificate of correction and corrected judgment. These time limits still run from the date of the original judgment, or original judgment with reasons, when appealing.



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 –

- (1) for a redundancy payment succeed,
- (2) of unlawful deduction of wages in respect of unpaid wages and
- (3) for holiday pay and for breach of contract in respect of notice pay are outside the tribunals jurisdiction.

The tribunal has no jurisdiction to consider claims (2) and (3).

The claimants are awarded as follows:

Mrs S Lehka

Redundancy pay
(9 complete years of service, 2 x 1 and 7 x 1½
12.5 x £172.80)
£2,160.00

Mrs C Adams

Redundancy (15 complete years of service
x 1.5 = 22.5 weeks x £102.60)
£2,295.00

Mrs S Sykes

Redundancy payment (13 years' x 1½ complete
years of service 19.5 weeks x £115.20)
£2,246.40

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.



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

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.justice.gov.uk/tribunals/employment/claims/booklets

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".
3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.
4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).
5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.
6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.