



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss T Lees

**Respondent:** Mr Philip Leigh

## JUDGMENT

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

**Upon the respondent not resisting the claim in its ET3 response and on the information before the Employment Judge, it is ordered that:**

1. The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of £6,005.70, representing 15 years continuous service when aged over 22 years at her gross weekly pay of £400.38.
2. The claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages to the claimant in the net sum of £2,665.52 (12 weeks' pay at £333.19 per week net, after giving credit for £1,332.76 received).
3. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the gross sum of £1,574.78.
4. The claimant's protective award claim under section 189 of the Trade Union and Labour Relations (Consolidation) Act 1992 is dismissed upon withdrawal by her.

Regional Employment Judge

Date: 26 July 2017

JUDGMENT SENT TO THE PARTIES ON

27 July 2017  
AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE

## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2402875/2017

Name of Miss T Lees v Mr Philip Leigh  
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: 27 July 2017

"the calculation day" is: **28 July 2017**

"the stipulated rate of interest" is: 8%

MRS L WHITE  
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](http://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.

**Case No: 2402875/17**

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Your Ref:

To Mr P Rhodes  
: Molesworths Bright Clegg  
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Your Ref: PR/121208

Date 27 July 2017

**Case Number: 2402875/2017**

**Claimant**  
**Miss T Lees**

**v**

**Respondent**  
**Mr Philip Leigh**

### **EMPLOYMENT TRIBUNAL JUDGMENT**

A copy of the Employment Tribunal's judgment is enclosed. There is important information contained in 'The Judgment' booklet which you should read, including guidance about enforcement. The booklet can be found by entering the form number **T426** in the **form/leaflet number** search box on the following link <http://hmctsformfinder.justice.gov.uk>

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

The Judgment booklet explains that you may request the employment tribunal to reconsider a judgment or a decision. It also explains the appeal process to the Employment Appeal Tribunal. These processes are quite different, and you will need to decide whether to follow either or both. **Both are subject to strict time limits. An application for a reconsideration must be made within 14 days of the date the decision was sent to you. An application to appeal must generally be made within 42 days of the date the decision was sent to you; but there are exceptions: see the booklet.**

The booklet also explains about asking for written reasons for the judgment (if they are not included with the judgment). These will almost always be necessary if you wish to appeal. You must apply for reasons (if not included with the judgment) within 14 days of the date on which the judgment was sent.

**Case No: 2402875/17**

If you do so, the 42 day time limit for appeal runs from when these reasons were sent to you. Otherwise time runs from the date the judgment was sent to you or your representative.

For further information, it is important that you read the Judgment booklet. You may find further information about the EAT at <https://www.gov.uk/appeal-employment-appeal-tribunal>

An appeal form can be obtained from the Employment Appeal Tribunal at: Employment Appeal Tribunal, Second Floor, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX or in Scotland at 52 Melville Street, Edinburgh EH3 7HS.

Please note that all judgments are published on the online judgment register unless an Employment Judge orders otherwise. The online judgment register can be accessed via:  
<https://www.gov.uk/employment-tribunal-decisions>

Yours faithfully,



MRS L WHITE  
For the Tribunal Office