



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss A Sokulska

**Respondent:** Encore Personnel Services Ltd

**Heard at:** Nottingham

**On:** 16 February 2018

**Before:** Employment Judge (sitting alone) Legard

## Representation

**Claimant:** In person

**Respondent:** Ms Gunn (HR Manager)

# JUDGMENT

1. The claim for unpaid statutory sick pay is well founded.
2. The Claimant is awarded the sum of £17.87

# REASONS

1. Within her claim form dated 9<sup>th</sup> October 2017, the Claimant makes a claim for unpaid sick pay. In short the Claimant alleges that she was not paid any sums following an accident at work that she sustained in June 2017.
  
2. In its defence, the Respondent claims that the Claimant's full entitlement to SSP has now been paid, albeit belatedly. The Respondent seeks to explain their oversight by reference to various administrative failings on their part.
  
3. By an email received by the Tribunal on 15th February, the Claimant confirmed that she had received various sums on at least four separate occasions. Today I have been assisted by both the Claimant and Ms Gunn (for the Respondent) in identifying and ascertaining precisely what sums have in fact been paid. I have also seen some payslips addressed to the Claimant. They are in the sums of £1,481.90 (paid November 2017); £578.20 (paid January 2018); £89.35 (again January of this year) and finally, £17.87 – all of which are net payments.
  
4. Having conducted my own calculation, I am satisfied that the Claimant has received from the Respondent the sum of £2,430.33 statutory sick pay and that her entitlement, again by reference to my own calculation, should have been £2,448.19. This leaves a relatively modest balance payable to the claimant of £17.87.

5. I therefore award the Claimant the sum of £17.87 which, combined with the sums that she's already paid, discharges the Respondent from any further liability in respect of Statutory Sick Pay.

6. There will be Judgement for the Claimant therefore in the sum of £17.87.

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Employment Judge Legard

Date 14<sup>th</sup> March 2018

JUDGMENT SENT TO THE PARTIES ON

24 March 2018

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FOR THE TRIBUNAL OFFICE