



EMPLOYMENT TRIBUNALS

Claimants

Respondents

v

Mr RC Cooper (1)
Mr M Williams (2)
Mr R Day (3)
Mr S Collinson (4)
Mr M Taviner (5)
Mr A Voysey (6)

LCG International Ltd (1)
Suprema Group Ltd (2)

Heard at: Bristol

On: 8 February 2018

Before: Employment Judge Pirani

Appearances

For the all the Claimants: Mr A Johnston, counsel

For the First Respondent: did not attend

For the Second Respondent: Mr R Peebles Brown, husband of director

JUDGMENT AND REMEDY

1. The claims for failure to inform and consult, pursuant to regulation 15 TUPE 2006, against the first and second respondents are dismissed on withdrawal by the claimants.
2. The claims against the first respondent for failure to provide itemised pay statements are dismissed on withdrawal by the claimants.
3. The claims against the first respondent for a failure to give them a written statement containing particulars of change are dismissed on withdrawal by the claimants.
4. Accordingly, all the remaining claims against the second respondent are dismissed on withdrawal by the claimants.



5. The claimants were dismissed by the first respondent by reason of redundancy.
6. The claimants were all unfairly dismissed by the first respondent.
7. The first respondent failed to pay the claimants their statutory redundancy payments.
8. The first respondent wrongly dismissed all the claimants without paying contractual or statutory notice pay.
9. The first respondent unlawfully deducted wages from the claimants.
10. The first respondent owes each of the claimants (other than Mr Voysey) outstanding holiday pay.
11. The amounts owed by the first respondent to the claimants are as set out below.
12. **Mr R Cooper: case number 1400510/2017**
 - i. redundancy payment: $8 \times 1.5 \times \pounds 479 = \pounds 5,748$
 - ii. outstanding holiday pay: $8.1 \text{ days} \times \pounds 103.84 = \pounds 841.10$ (gross)
 - iii. notice pay: $8 \times \pounds 519.20 = \pounds 4,153.60$ (gross)
 - iv. outstanding wages: **$\pounds 4,298.24$ (gross)**
13. **Mr M Williams: case number 1400594/2017**
 - i. redundancy payment: $8 \times 1.5 \times \pounds 479 = \pounds 5,748$
 - ii. outstanding holiday pay: $7 \text{ days} \times \pounds 103.84 = \pounds 726.88$ (gross)
 - iii. notice pay: $8 \times \pounds 519.20 = \pounds 4,153.60$ (gross)
 - iv. outstanding wages: **$\pounds 4,140.20$ (gross)**
14. **Mr R Day: case number 1400595/2017**
 - i. redundancy payment: $8 \times 1.5 \times \pounds 479 = \pounds 5,748$
 - ii. outstanding holiday pay: $29 \text{ days} \times \pounds 130.77 = \pounds 3792.33$ (gross)
 - iii. notice pay: $8 \times \pounds 653.85 = \pounds 5,230.80$ (gross)
 - iv. outstanding wages: **$\pounds 5,912.80$ (gross)**
15. **Mr S Collinson: case number 1400596/2017**
 - i. redundancy payment: $8 \times 1 \times \pounds 461.60 = \pounds 3692.80$
 - ii. outstanding holiday pay: $18.7 \text{ days} \times \pounds 92.32 = \pounds 1,726.38$
 - iii. notice pay: $8 \times \pounds 461.60 = \pounds 3,692.80$
 - iv. outstanding wages: **$\pounds 3692.80$ (gross)**
16. **Mr M Taviner: case number 1400613/2017**
 - i. redundancy payment: $8 \times 1.5 \times \pounds 479 = \pounds 5,748$
 - ii. outstanding holiday pay: $6 \text{ days} \times \pounds 103.84 = \pounds 623.04$ (gross)
 - iii. notice pay: $8 \times \pounds 519.20 = \pounds 4,153.60$ (gross)
 - iv. outstanding wages: **$\pounds 5,240.41$ (gross)**



17. **Mr A Voysey: case number 1400627/2017**
- i. redundancy payment: $8 \times 1.5 \times \pounds 479 = \pounds 5,748$
 - ii. outstanding holiday pay: no award
 - iii. notice pay: $8 \times \pounds 682.69 = \pounds 5,461.52$ (gross)
 - iv. outstanding wages: **$\pounds 5,951.61$ (gross)**

Employment Judge Pirani

8 February 2018

Sent to the parties on:

9 February 2018

For the Tribunal:

Note: Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.



Case no.	Claimant
1400510/2017	Mr RC Cooper
1400594/2017	Mr M Williams
1400595/2017	Mr R Day
1400596/2017	Mr S Collinson
1400613/2017	Mr M Taviner
1400627/2017	Mr A Voysey



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Case no.	Claimant		Respondent
1400510/2017	Mr RC Cooper	v	LCG International Ltd
1400594/2017	Mr M Williams		
1400595/2017	Mr R Day		
1400596/2017	Mr S Collinson		
1400613/2017	Mr M Taviner		
1400627/2017	Mr A Voysey		

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: 9 February 2018

"the calculation day" is: 10 February 2018

"the stipulated rate of interest" is: 8%

MISS Z KENT
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.