



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr M Lipka

v

CR Melton & Son

Heard at: Cambridge

On: 19 September 2018

Before: Employment Judge Bloom

Appearances

For the Claimant: In person

For the Respondent: Did not attend and was not represented

Interpreter: Beata Teresa Kramarz, Polish

JUDGMENT

1. The respondent is ordered to pay to the claimant the sum of **£311.25**, (before any lawful deductions), for outstanding wages, and the sum of **£840**, (prior to any lawful deductions), representing outstanding holiday pay.
2. The claimant was employed as a strawberry picker by the respondent between 15 August 2016 and 11 September 2017. He brings to the employment tribunal claim two claims. The first, is in respect of non-payment of 41.5 hours worked between 4 and 8 September 2017, inclusive. The claimant's hourly rate of pay was £7.50 per hour. That amounts to a gross sum of £311.25. He claims three days outstanding holiday pay for the holiday year 2016 / 17 and an additional 12 days holiday pay for the holiday year 2017 / 18. That makes a total of 15 days holiday pay owed at a daily rate of £56 gross per day; which results in a total sum owed of £840.
3. The claimant gave evidence on oath to confirm the above facts. I am grateful for the assistance provided to the tribunal by Miss T Kramarz, who was sworn in as an interpreter in the Polish language.

4. The respondent completed a Response which indicated that he did not propose to defend the claim. They were not present and not represented at the hearing.
5. I accept the evidence given by the claimant that he is owed the sums due and accordingly I make a judgement in his favour that the respondent pay to him the gross sum of £311.25 representing outstanding wages and the gross sum of £840.00 representing outstanding holiday pay. Both sums are subject to deductions for tax and national insurance contributions.
6. There were six other claimants joined into these proceedings but none of them attended the hearing. I was informed by Mr Lipka that they had in fact all returned to Poland in September 2017 and no longer live in this Country. Consequently, I have made orders against them that unless they show cause within 14 days that their claims will not be struck out, a strike out order will be made against them.

Employment Judge Bloom

Date: 12 October 2018.....

Sent to the parties on:

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For the Tribunal Office