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EMPLOYMENT TRIBUNALS

Claimant: Mr O Ogunbumuyi
Respondent: Mitie Limited
Heard at: East London Hearing Centre
On: 27 September 2018
Before: Employment Judge Tobin

Representation

Claimant: In person
Respondent: Mr C Kelly (Counsel)

JUDGMENT

Upon hearing the Claimant and Mr Andy Ross of the Respondent The judgment of the Tribunal is that:-

1. The Claimant worked a variable shift pattern of 4 or 5 working days per week equating to 48 hours per week. The Claimant was entitled to 5.6 weeks unpaid annual leave and not 28 days as contended. The Claimant had no contractual entitlement of 28 days annual leave. The Claimant received his correct holiday pay entitlement and consequently there was no shortfall in the Claimant's wages.
2. The Respondent's application for costs was not accepted by the Tribunal.
3. The case is now dismissed.

Employment Judge Tobin

15 October 2018

