



EMPLOYMENT TRIBUNALS

Claimant: Mr S M Bloomfield (Deceased) representing Mrs C Bloomfield

Respondent: Mr and Mrs Carr t/a The Woodlands Hotel

HELD AT: Leeds

On: 18 July 2018 and 21 August 2018

Before Employment Judge Shulman

REPRESENTATION:

Claimant: In person

Respondent: Mr S R Carr

JUDGMENT

By consent:-

1. The Respondent shall pay to the Claimant the sum of £1,352.01 by way of holiday pay.
2. For failure to give the Claimant a statement of employment particulars the Respondent shall pay to the Claimant the sum of £795.30.
3. Grand total £2,147.31.

REASONS

1. In this case the Claimant claims holiday pay on behalf of her deceased husband and also on his behalf compensation for failure to give a statement of employment particulars.

2. The case opened on 18 July 2018. During the course of the Claimant's evidence it became clear that there was insufficient data available to the Tribunal in order to decide this case.
3. Therefore the Tribunal adjourned the hearing until 21 August 2018 making orders for the efficient disposal of the case.
4. Included in the orders was an order for the Claimant to produce all wage slips of the Claimant that she or her late husband had in their possession relating to the Claimant's employment with the Respondent.
5. The Claimant produced all those wage slips on 21 August 2018 and gave detailed evidence as to holiday the Claimant took and what he was paid for.
6. At the end of that evidence it was clear that there was 23 days holiday untaken in respect of which holiday pay was outstanding.
7. The Respondent on the other hand had calculated that the Claimant was entitled to 25.5 days holiday and this was used at a daily rate of £53.02 to reach an outstanding holiday payment in the sum of £1,352.01. Both parties consented to an order for this figure.
8. So far as the failure to give a statement of particulars is concerned the Tribunal has power to award for such a failure, which in this case was admitted between two weeks' and four weeks' pay. The Tribunal decided that three weeks' pay was appropriate at a weekly rate of £265.10 yielding a figure of £795.30 again to which both parties consented.
9. As the Judgment shows the total is £2,147.31 which the Respondent shall pay to the Claimant.

Employment Judge Shulman
Date: 17 September 2018

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