



# EMPLOYMENT TRIBUNALS

**Claimants:** 1. Mr S Lebeter  
2. Mr R Mix

**Respondent:** Acorn Lighting Services Ltd

**Heard at:** Hull                      **On:** 11 December 2018

**Before:** Employment Judge Davies

**Representation**

Claimants: Ms L Lebeter (family/friend)

Respondent: Did not attend

## REMEDY JUDGMENT

Issued pursuant to Rule 21 Employment Tribunals Rules of Procedure 2013

### Mr Lebeter

1. The amount of the redundancy payment to which Mr Lebeter is entitled is **£13,716** (£508 x 27; age at EDT 57, 19 continuous years' service).
2. In respect of the claim for damages for breach of contract (notice pay), the Respondent shall pay Mr Lebeter **£5880** net (12 weeks' notice, average net weekly pay £490).
3. In respect of the claim for pay in lieu of holiday accrued but untaken on termination of his employment the Respondent shall pay Mr Lebeter **£196** net (holiday year commencing 1/4/18, 2.5 days taken).
4. In respect of the claim for unauthorised deduction from wages, the Respondent shall pay Mr Lebeter **£2,402.20** net in respect of a series of underpayments of holiday pay going back not more than two years and with no gap of three months or more between payments.

### Mr Mix

5. For the avoidance of doubt Mr Mix does not bring any claim for a protective award.
6. The amount of the redundancy payment to which Mr Mix is entitled is **£3,318.64** (Average gross weekly pay £414.83 x 8; age at EDT 29, 9 continuous years' service).

7. In respect of the claim for damages for breach of contract (notice pay), the Respondent shall pay Mr Mix **£3036.06** net (9 weeks' notice, average net weekly pay £337.34).
8. Mr Mix did not have holiday accrued but untaken on termination of his employment so no sum is payable.
9. In respect of the claim for unauthorised deduction from wages, the Respondent shall pay Mr Mix **£444.18** net in respect of a series of underpayments of holiday pay going back not more than two years and with no gap of three months or more between payments.

**Employment Judge Davies**  
**11 December 2018**