



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr D Kelly

**Respondent:** MKMC One Limited

**HELD AT:** Liverpool

**ON:** 22 January 2018

**BEFORE:** Employment Judge Horne

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Did not attend, participation restricted under rule 21

# JUDGMENT

References to rule numbers are references to the Employment Tribunal Rules of Procedure 2013.

1. The respondent made an unlawful deduction from the claimant's holiday pay and is ordered to pay the claimant the net sum of £251.12, made up as follows:
  - 1.1. £150.03 wages for annual leave taken; and
  - 1.2. £101.09 for accrued untaken annual leave.
2. The respondent is ordered under section 38 of the Employment Act 2002 to pay the further sum of £150.88 (net) to the claimant.

3. The tribunal makes a preparation time order under 75(2) and 76(1)(a) and accordingly the respondent must pay the claimant the sum of £111.00.

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Employment Judge Horne

22 January 2018

SENT TO THE PARTIES ON

9 February 2018

FOR THE TRIBUNAL OFFICE

Note – reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the date when the judgment was sent to the parties.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2423928/2017

Name of Mr D Kelly v MKMC One Limited  
case(s):

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%

MR I STOCKTON  
For the Employment Tribunal Office