



## EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 4105948/2019

Hearing held in Glasgow on at 10am on 3<sup>rd</sup> July 2019

Employment Judge M Whitcombe

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**Mr S McGlone**

**Claimant  
In person**

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**Fishers Cooperage Limited**

**Respondent  
Represented by:  
**Mr Simon  
(Solicitor)****

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## JUDGMENT

The judgment of the Tribunal is as follows.

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(1) The claim for a payment in respect of holiday pay accrued but untaken on the effective date of termination is not well founded and is dismissed.

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(2) The respondent's application for expenses of £1,200 is refused. The claim has neither been brought nor conducted vexatiously or unreasonably. While the claim had no reasonable prospect of success, as a matter of discretion I decline to award expenses because it would not be just to do so.

(3) Oral reasons for both of the above decisions were given in the presence of the parties.

5 **Employment Judge : M Whitcombe**  
**Date of Judgment : 3 July 2019**  
**Date sent to parties: 10 July 2019**

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