



EMPLOYMENT TRIBUNALS

Claimants: Mr A Hanson

Respondent: The Yard Marketers Ltd

HELD AT: Manchester

ON: 11 December 2019

BEFORE: Employment Judge Tom Ryan

Appearances:

Claimant: In person

Respondent: No attendance, response not entered

JUDGMENT

The judgment of the tribunal is that:

1. The title of the respondent is amended to The Yard Marketers Ltd.
2. The claimant's claims in respect of arrears or wages, unpaid holiday pay and breach of contract by failure to pay notice pay are well-founded.
3. The claim for breach of contract by failure to pay commission is not well-founded and is dismissed.
4. The claimant's gross weekly pay was £461.54.
5. The respondent is ordered to pay the claimant compensation as follows:

Arrears of wages

2 days' pay for training at the start of employment

12 days' pay for the period 1 – 18 August 2019

= 14 days = 2.8 weeks at £461.54 = £1292.32

Unpaid holiday pay

Annual leave accrued in holiday year = 12 days

Less 4 days taken (public holidays)

= 8 days = 1.6 weeks at £461.54 =	£738.46
<u>Unpaid Notice pay</u>	
1 weeks' pay =	<u>£461.54</u>
Total sum awarded	£2,492.32

6. The sums are awarded gross and the claimant may be liable to tax upon them.
7. The respondent is ordered to pay the claimant the sum awarded on or before 2 January 2020.

Employment Judge

Dated 12 December 2019

JUDGMENT SENT TO THE PARTIES ON

17 December 2019

FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to Employment Tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2413951/2019**

Name of case: **Mr A Hanson** v **The Yard Marketers Ltd**

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: 17 December 2019

"the calculation day" is: 18 December 2019

"the stipulated rate of interest" is: **8%**

MR S ARTINGSTALL
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoument notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.