



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4107040/2019**

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**Held in Glasgow on 9 August 2019**

**Employment Judge F Eccles**

10 **Mr G Warburton**

**Claimant  
In Person**

**The Carloway Mill Ltd**

**Respondent  
No appearance and  
No representation**

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**JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

The Judgment of the Employment Tribunal is that the respondent shall pay the claimant £1,608 as outstanding holiday pay (4 weeks x £402); £4,824 as contractual notice pay (12 weeks x £402) and £1,608 for failure to issue the claimant with a statement of his employment particulars (4 weeks x £402).

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**REASONS**

1. The claim was presented on 21 May 2019. The claimant sought outstanding holiday pay, and contractual notice pay. The claimant attended a hearing.  
25 The claim was not resisted.
2. The claimant provided the respondent with a letter from the respondent confirming that he was entitled to 1 month's holiday and 12 weeks' notice pay under his contract of employment. The claimant received a letter confirming the termination of his employment on 27 February 2019.
- 30 3. The claimant was not issued with employment particulars during the course of his employment.

4. From the evidence before it, the tribunal was satisfied that the claimant is entitled to contractual holiday pay of 4 weeks (£1,608) (4 weeks x £402). The tribunal is also satisfied that the claimant is entitled to 12 weeks contractual notice pay (£4,824) (12 weeks x £402).
- 5 5. In terms of section 38 of the Employment Act 2002, the tribunal is also entitled to compensation for failure on the part of the respondent to provide him with written employment particulars. No reason was advanced by the respondent for failure to issue the claimant with his employment particulars and the tribunal decided that it was appropriate to therefore award him 4 weeks' compensation totalling £1,608.
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**Employment Judge: F Eccles**  
**Date of Judgment: 09 August 2019**  
**Date sent to parties: 03 September 2019**