



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A James

**Respondent:** Secretary of State for Business, Energy and Industrial Strategy

**Heard at:** Birmingham Employment Tribunal

**On:** 19 February 2020

**Before:** Employment Judge Cookson

## Representation

Claimant: In person

Respondents: Did not attend

# JUDGMENT

1. Upon hearing evidence from the Claimant and after considering the Secretary of States' response and additional documentations, I make a declaration under s188 of the Employment Rights Act ("ERA") that the payment made to the Claimant under s182 of the ERA was less than the amount which should have been paid.
2. I declare that the amounts which the Claimant was entitled were:
  - a. In respect of holiday pay: £103.45 gross which is in respect of the one day's holiday he was entitled to under Regulation 30(1)(b) of the Working Time Regulations 1998; and
  - b. In respect of arrears of pay: £782.51 gross
3. The Claimant has already received £370.16 (gross) under s182 of the ERA and therefore is entitled to a further £515.80 to be subject to appropriate deductions for tax and national insurance.

Employment Judge Cookson  
25 February 2020

Notes

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.

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