



EMPLOYMENT TRIBUNALS BETWEEN

Claimant

Miss Emma Brown

AND

Respondent

1st Grade Care

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Cardiff

ON 12 March 2020

EMPLOYMENT JUDGE N W Beard

Representation

For the Claimant: In Person

For the Respondent: Mrs Long (HR)

JUDGMENT

The judgment of the tribunal is that :-

By a concession made by the respondent the following is declared as to the claimant's terms and conditions of employment pursuant to sections 11 and 12 Employment Rights Act 1996

1. The claimant's claim for holiday pay entitlement is well founded.
2. The claimant's contractual holiday year began on 1 January 2019 and ended on 31 December 2019 and recommenced on 1 January 2020 and will continue to 31 December 2020 or until a change in contractual terms agreed by the parties.
3. During 2019 the claimant accrued 5.6 weeks holiday pursuant to the Working time regulations.
4. Between 1 January 2020 and 31 March 2020, the claimant will accrue 1.54 weeks holiday accrued at 0.11 weeks for each week of employment.
5. Between 1 January 2019 and 31 March 2020, the claimant has taken 5.3 weeks holiday.
6. The claimant has outstanding 1.84 weeks holiday from 2019 which is added to her entitlement of 5.6 weeks for 2020 a total of 7.14 weeks for that complete year

7. The claimant, having carried over 1.84 weeks and accrued 1.54 weeks in 2020, has a total accrual of 3.38 weeks holiday by 31 March 2020 and the claimant having taken 8.5 days of holiday between 1 January 2019 and 31 March 2020, equating to 1.75 weeks, as of 31 March 2020 the claimant has outstanding accrued holiday of 1.63 weeks.
8. Whilst the claimant continues in employment with the respondent she will accrue holiday at a rate of 0.11 weeks per week of work and added to the 1.63 weeks above the total outstanding holiday for 2020 will be 5.39 weeks.

Employment Judge
Date 12 March 2020

Judgment sent to Parties on 12 March 2020

FOR THE TRIBUNAL OFFICE