



EMPLOYMENT TRIBUNALS

Claimants

1400574/2019 Miss J Roe
1400620/2019 Miss L Tate
1400648/2019 Miss B Gordon
1400736/2019 Mr S Galyer
1400855/2019 Mr W Chagas Pestana
1401024/2019 Mrs E Peverelle
1402723/2019 Mr E Karaca
1404205/2019 Miss A Powell

Respondents

1) Botleigh Grange Hotel Ltd (In
Administration)
2. Botleigh Grange Ltd (In
Administration)
v 3. Addison Way Ltd
4. Secretary of State for BE&IS

Heard at: Southampton On: 11 and 12 June 2020

Before: Employment Judge Dawson

Appearances

For the Claimants: Mr Edwards, for Mrs Peverelle and Mr Karaca,

The following claimants appeared in person:

Mr Chagas Pestana, Mr Galyer, Miss Gordon, Miss Powell, Miss Roe, Miss Tate

For the Respondents: No attendance

JUDGMENT

Upon the tribunal finding that;

1. at the date of termination of her employment, Mrs E Peverelle was employed by Botleigh Grange Hotel Ltd and
2. at the date of the termination of their employment the remaining claimants to whom this judgment relates were employed by Addison Way Ltd,

And upon the tribunal being satisfied that it has the jurisdiction to determine the claims before it.

1. It is declared that the Secretary of State for Business Energy & Industrial Strategy ought to make a payment to Mrs Peverell under section 182 Employment Rights Act 1996 of:
 - a. £495.99 in respect of unpaid wages and

Case Numbers: 1400574/2019, 1400620/2019, 1400648/2019, 1400736/2019, 1400855/2019, 1401024/2019, 1402723/2019, 1404205/2019 V

- b. £256 in respect of holiday pay.
2. The claim of Mrs Peverelle against Botleigh Grange Ltd is dismissed.
3. In respect of the claimant, Mr Karaca:
 - a. Addison Way Ltd made an unauthorised deduction from his wages and is ordered to pay to him the sum of £8422.50 (including an uplift of 25%).
 - b. Addison Way Ltd failed to pay his holiday pay and is ordered to pay him the sum of £2060.
 - c. The claim against Botleigh Grange Ltd is dismissed.
 - d. The claim against the Secretary of State for Business Energy & Industrial Strategy is dismissed.
4. In respect of the claimant, Miss Tate:
 - a. Addison Way Ltd made an unauthorised deduction from her wages and is ordered to pay to her the sum of £2645.76.
5. In respect of the claimant, Miss Gordon:
 - a. Addison Way Ltd made an unauthorised deduction from her wages and is ordered to pay to her the sum of £1462.50.
 - b. Addison Way Ltd failed to pay her holiday pay and is ordered to pay her the sum of £432
6. In respect of the claimant, Mr Galyer:
 - a. Addison Way Ltd made an unauthorised deduction from his wages and is ordered to pay to him the sum of **£3744**.
 - b. Addison Way Ltd failed to pay his holiday pay and is ordered to pay him the sum of £468.
7. In respect of the claimant, Mr Pestana:
 - a. Addison Way Ltd made an unauthorised deduction from his wages and is ordered to pay to him the sum of £2481.53.
 - b. Addison Way Ltd failed to pay his holiday pay and is ordered to pay him the sum of £336.70.
 - c. The claim against Secretary of State for Business Energy & Industrial Strategy is dismissed.
8. In respect of the claimant, Miss Powell:

Case Numbers: 1400574/2019, 1400620/2019, 1400648/2019, 1400736/2019,
1400855/2019,1401024/2019, 1402723/2019,1404205/2019 V

- a. Addison Way Ltd made an unauthorised deduction from her wages and is ordered to pay to her the sum of £1350.

9. In respect of the claimant, Miss Roe:

- a. Addison Way Ltd made an unauthorised deduction from her wages and is ordered to pay to her the sum of £1950.

Employment Judge Dawson

Date 12 June 2020

Amended Judgement sent to parties 1 July 2020

FOR THE TRIBUNAL OFFICE

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.

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.

Format of the Hearing

The hearing was conducted by the parties attending by Cloud Video Platform. It was held in public in accordance with the Employment Tribunal Rules. It was conducted in that manner because a face to face hearing was not possible in light of the the Government Guidance in connection with the coronavirus pandemic and it was in accordance with the overriding objective to do so