



EMPLOYMENT TRIBUNALS

Claimant: Mr R Leeming

Respondent: Outback Events Limited

HELD AT: Leeds

ON: 22 September 2020

BEFORE: Employment Judge Brain

REPRESENTATION:

Claimant: In person

Respondent: No attendance or appearance: response struck out

JUDGMENT

The Judgment of the Employment Tribunal is that:

1. The respondent made a series of unlawful deductions from the claimant's wages by not paying holiday pay to the claimant throughout the period of his employment commencing on 18 May 2018.
2. Accordingly, the claimant has suffered an unlawful deduction from his wages and his complaint brought under Part II of the Employment Rights Act 1996 succeeds.
3. The respondent shall pay to the claimant the sum of £406.93, that being 12.07% of his gross income earned throughout his employment commencing on 18 May 2018. *(The 12.07% figure is based on the principle that 5.6 weeks' holiday (being the minimum annual leave to which a worker is entitled) is equivalent to 12.07% of hours worked per year. The figure of 12.07% is reached by dividing 5.6 by 46.4 (being 52 weeks minus 5.6 weeks)).*
4. The respondent shall pay to the claimant the sum of £406.93 being the gross amount due on or before 6 October 2020.

5. The claimant's application for a preparation time order is refused.

Employment Judge Brain
Date 12 October 2020