



EMPLOYMENT TRIBUNALS

Claimant: Miss A Redman

Respondent: Coffee United (Bootle 1 Ltd)

Heard at: Manchester (by CVP)

On: 25 November 2020

Before: Employment Judge Whittaker

REPRESENTATION:

Claimant: In person

Respondent: No appearance

JUDGMENT

The judgment of the Tribunal is that the respondent shall pay the claimant the sum of £337.20.

REASONS

1. The claimant was employed from May 2019 until 31 July 2020 when she was dismissed on the grounds of redundancy. She was required to accrue her holidays during the first year of her employment, and the claimant had taken all holidays which she had accrued between May and the end of December 2019. She had no holidays to carry forward into 2020. The holiday year of the company was from May until June. The claimant was therefore entitled to seven months' holiday between January and July 2020. She was on maternity leave from the end of January but she was unable to recall the exact date.

2. The claimant did not take any holidays between the beginning of January and the end of July 2020. She was entitled to 1.66 days' holiday for each month that she worked for the employer. January to July was a period of seven months and she had therefore accrued a total 11.62 days' holiday as at the date of the termination of her employment. The claimant confirmed that on termination of her employment she had received a payment for the equivalent of six days' holiday, leaving outstanding a period of 5.62 days which she had accrued but which had never been paid for by the respondent. Each day had a value of £60 representing 6 hours at £10 per hour. The

claimant confirmed that in advance of the hearing she had sent her views and calculations to the employer but had received no response.

3. The claimant confirmed that she had received a contract of employment/statement of main particulars of employment and in those circumstances it was not appropriate to make any award pursuant to section 38 of the Employment Act 2002.

4. The judgment of the Tribunal therefore is that the respondent shall pay the sum of £327.20 to the claimant in respect of accrued but untaken holidays which were due to the claimant as at the termination of her employment on 31 July 2020.

Employment Judge Whittaker

Date: 25th November 2020

JUDGMENT AND REASONS SENT TO THE PARTIES ON

2 December 2020

FOR THE TRIBUNAL OFFICE

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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2414142/2020**

Name of case: **Miss A Redman** v **Coffee United
(Bootle 1 Ltd)**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding discrimination or equal pay awards or sums representing costs or expenses), shall carry interest where the sum remains unpaid on a day ("*the calculation day*") 42 days after the day ("*the relevant judgment day*") that the document containing the tribunal's judgment is recorded as having been sent to the parties.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant judgment day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: **2 December 2020**

"the calculation day" is: **3 December 2020**

"the stipulated rate of interest" is: **8%**

For and on Behalf of the Secretary of the Tribunals