



EMPLOYMENT TRIBUNALS

Claimant:

(1) Mrs Yvonne Prideaux
(2) Mrs Sandra Ann Riley

Respondents

Shona Bassford & Clive Bassford t/a Riccall Post Office

Heard at: Leeds (by Phone) On 22 January 2021

Before: Employment Judge R S Drake

Representation:

Claimants: In Person (both)
Respondent: No Response filed
Attendance only by Mrs S Bassford (also on behalf of Mr C Bassford)

JUDGMENT

1. The Claimants have established that they are entitled to redundancy payments of (C1) £3,294.96 and (C2) £1,962.00, respectively.
2. The Claimants have established they are entitled to be paid notice payment on termination of employment i.e., unpaid notice pay of (C1) ££1,876.32 and (C2) £1,046.00 respectively and also holiday pay of (C1) £505.04 and (C2) £281.66, respectively. Therefore, they are awarded and shall be paid by the Respondents the sums of (C1) £2,381.36 and (C2) £1,327.66, respectively.

REASONS

3. The Claimants (referred to as "C1" and "C2") gave evidence of their pay during employment and of having given but not being required or expected to work their notice. They also stated that they had been

made redundant when the Respondents' lease of a Post Office and Stores business and premises expired on 4 August 2020. Both Claimants had been employed for over 12 years and neither had taken or been paid for any holidays since the start of the financial year on 1 April 2020 and were entitled to expect continuing accrual of holiday during the statutory minimum period of notice to which each was entitled i.e., 12 weeks. The Respondents had not responded to the claims by filing an ET3 but attended today to confirm they did not contest the claims whatsoever. I took account of the written and oral representations of the Claimants and noted the absence of any resistance by both of the Respondents.

4. I accepted the evidence of the Claimants in all respects and find accordingly.
- 5 C1 has established that she is entitled to a redundancy payment based on her age of 72 and thus at a rate of 21 weeks gross pay which was £156.96 per week. She is also entitled to accrued holiday not taken or paid and accruing during the 12 weeks' notice she should have received. I find the rate of holiday pay was £156.36 per week and the number of days of her proved entitlement is 16.15 at a daily rate of £31.27. Thus, she is entitled according to the evidence to 16.15 x £31.27 holiday pay at the said rate and thus the sum of £505.04 and also notice pay of 12 x £156.36 net weekly pay and thus a total sum of £1,876.32.
- 6 C2 has established that she is entitled to a redundancy payment based on her age of 56 and thus at a rate of 22.5 weeks gross pay which was £87.20 per week. She is also entitled to accrued holiday not taken or paid and accruing during the 12 weeks' notice she should have received. I find the rate of holiday pay was £17.44 per week and the number of days of her proved entitlement is 16.15 at a daily rate of £17.44. Thus, she is entitled according to the evidence to 16.15 x £17.44 holiday pay at the said rate and thus the sum of £281.66 and also notice pay of 12 x £87.20 net weekly pay and thus a total sum of £1,046.40.
- 7 Thus the Claimants are entitled to redundancy payments outlined above but also to be paid by the Respondent the following: -

| C1 | £ | C2 | £ |
|--------------|------------------------|-----------|------------------------|
| Notice Pay | 1,876.32 | | 1,046.00 |
| Holiday Pay | <u>505.04</u> | | <u>281.66</u> |
| Total | <u>2,381.36</u> | | <u>1,327.66</u> |

I award Judgments to the Claimants respectively in the above sums and order that the Respondent shall pay to the Claimants the sums of (C1) £2,381.36 and (C2) £1,327.66, respectively.

Employment Judge R S Drake

Date 22 January 2021