



## EMPLOYMENT TRIBUNALS

**Claimant**  
Mrs D Spear

v

**Respondent**  
ANS Bristol Ltd

**Heard at:** Bristol (by video)

**On:** 8 & 9 April 2021

**Before:** Employment Judge C H O'Rourke

### **Appearances**

**For the Claimant:** in person

**For the Respondent:** Mr Gunnion - solicitor

## JUDGMENT

1. The Respondent (as conceded) made unlawful deductions from the Claimant's holiday pay for the holiday year 2019 and is ordered to pay the agreed sum of £408 (subject to tax and NI) to the Claimant.
2. The Claimant's claims of unfair dismissal and unlawful deductions from wages (in respect of non-holiday pay) fail and are dismissed.
3. The Claimant's claim of unlawful deductions from her holiday pay for 2018, in the sum of £408 gross, is stayed, pending the Supreme Court's decision in **Chief Constable of the Police Service of Northern Ireland v Agnew [2019] NICA 32.**

**Employment Judge O'Rourke**  
**Date: 09 April 2021**

Judgment sent to the Parties: 26 April 2021

FOR THE TRIBUNAL OFFICE

### Note

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.