



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Respondent

AND

Miss R Burt

Medina Quay Meats Limited

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Bristol (by video) **ON** 26th May 2021

EMPLOYMENT JUDGE A Richardson

Representation

For the Claimant: in person

For the Respondent: Mr C Williams, Director

JUDGMENT

The judgment of the Tribunal is that

- (1) The Claimant's claim for breach of contract is well founded. The Respondent is ordered to pay the Claimant the outstanding balance of notice pay in the sum of £291.47.
- (2) The Claimant's claim for holiday pay is well founded. The Respondent is ordered to pay the claimant the balance outstanding for holiday pay of £557.44.
- (3) The Claimant's claim of unlawful deduction from wages is well founded and the Respondent is ordered to pay the Claimant the sum of £30.68.
- (4) A breakdown of these sums is on the Annex to this judgment.
- (5) These sums are to be paid gross. The Claimant must account for relevant tax and NIC deductions to HMCTS.

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/employmenttribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Employment Judge Richardson
Date: 26 May 2021

Case Number 1404580/2020

Judgment sent to Parties: 17 June 2021

FOR THE TRIBUNAL OFFICE

Annex – calculations

Notice pay

R agrees to pay:

- (1) 1 week's additional notice at £191.75 gross
- (2) Three weeks top up 20% on notice pay already paid agreed at £99.72 gross

Sub total £291.47 gross

Holiday pay

Based on an average over the previous 12 weeks in accordance with clause 6.2 of the employment contract and agreed by R's accountants – £52.91 x 13 = £687.83

Less £130.39 holiday pay 20% top up already given for 17 days in June 2020

Sub total 557.44 gross

Add on the £30 .68 wrongly deducted for overpayment of holiday based on the assumption that C was required to take and took 17 days holiday in June 2020 when she had at that time an entitlement of 13 days leave.

Total arrears of holiday pay £557.44 + 30.68 = 588.12
Notice pay 291.47

£879.59 gross

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