



EMPLOYMENT TRIBUNALS

Claimants: Mr Darren Burgess

Respondent: Cabot Carbon Limited

Heard at: by video

On: 26 November 2021

Before: Employment Judge N Webb

Representation

For the Claimant: Representing himself

For the Respondent: Miss Johns

JUDGMENT

1. The respondent did not make an unauthorised deduction from the wages of the claimant. The claim is not well founded.
2. The respondent did provide the claimant with particulars of his employment.
3. The respondent did not pay the full amount to the claimant for his accrued holiday at the end of his contract. The claimant's complaint under regulation 30(1)(b) of the Working Time Regulations 1998 is well founded.
4. The respondent has paid the claimant £1502.66 on or around 15 July 2020.
5. The claimant was entitled to a total of £2604.79 for accrued holiday calculated as follows:
 - 78.92 hours Regulation 13 leave @ £22.48 = £1774.12;
 - 38.6 hours Regulation 13A/contractual leave @ £21.52 = £830.67.
6. The respondent is ordered to pay the claimant £1102.13.

Employment Judge N Webb

Date: 26 November 2021

JUDGMENT SENT TO THE PARTIES ON 29 November 2021

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FOR THE TRIBUNAL OFFICE Mr N Roche

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