



# EMPLOYMENT TRIBUNALS

**First Claimant:** Mr K Hulme  
**Second Claimant:** Ms H Hulme  
**Third Claimant:** Mr B Ward

**First Respondent:** Back2Work Group Employment Service Limited  
**Second Respondent:** Revamp Technologies (UK) Limited  
**Third Respondent:** Adstrad Employment Services Limited

**Heard at:** Manchester Employment Tribunal (by CVP)

**On:** 19 November 2021

**Before:** Employment Judge Mark Butler

## Representation

For First and Second Claimant: Ms B Hulme (lay representative)  
Third claimant: Representing himself

First, second  
and third Respondent: Did not attend

This has been a remote hearing which has not been objected to by the parties. The form of remote hearing was CVP. A face to face hearing was not held because of the ongoing pandemic and all issues could be determined in a remote hearing.

# JUDGMENT

## The first claimant (Mr K Hulme)

1. The claim brought by the first claimant against the first respondent (Back2Work Group Employment Service Limited) is dismissed on withdrawal.
2. The first claimant succeeds in his claim for unpaid wages and unpaid holiday pay against the second respondent (Revamp Technologies (UK) Limited). The following sums are payable:
  - a. Unpaid wages: 24 (days) x 8 (hours per day) x £9.25 (gross hourly pay) (£1,776)
  - b. Unpaid holiday pay: 7 (days) x 8 (hours per day) x £9.25 (gross hourly pay) (£518)

3. The total payable is **£2,294**. The sums payable are gross and the respondent is to account to the claimant and HMRC for any tax and national insurance payable thereon.

**The second claimant (Ms H Hulme)**

4. The claim brought by the second claimant against the second respondent (Revamp Technologies (UK) Limited) is dismissed on withdrawal.
5. The second claimant succeeds in her claim for unpaid wages and unpaid holiday pay against the first respondent (Back2Work Group Employment Service Limited). The following sums are payable:
  - a. Unpaid wages: 24 (days) x 7.08 (hours per day) x £9.75 (gross hourly pay) (£1,656.72)
  - b. Unpaid holiday pay: 16 x 7.08 (hours per day) x £9.75 (gross hourly pay) (£1,104.48)
6. The total payable is **£2716.20**. The sums payable are gross and the respondent is to account to the claimant and HMRC for any tax and national insurance payable thereon.

**The third claimant (Mr B Ward)**

7. The third claimant's claim for unfair dismissal is dismissed on withdrawal.
8. The correct name of the third claimant's employer is Back2Work Group Employment Service Limited. The third claimant only brought a claim against the third respondent (Adstrad Employment Services Limited). For reasons given at the hearing the third claimant's claim is amended to be brought against Back2Work Group Employment Service Limited only, which substitutes the claim brought against Adstrad Employment Services Limited.
9. As the third claimant's claim was served on the incorrect respondent, this claim will now be served on the substituted and correct respondent/employer. Determination of his claims will have to wait until Back2Work Group Employment Service Limited has had the opportunity to respond to his claim. If no response is received, the tribunal may consider determining his claim using the Rule 21 Procedure.

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Employment Judge **Mark Butler**

Date: 19 November 2021

**Case No: 2407287/2021, 2407288/2021 and 2408381/2021**

JUDGMENT SENT TO THE PARTIES ON

6 December 2021

FOR THE TRIBUNAL OFFICE

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](http://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 numbers: **2407287/2021 & 2407288/2021**

Name of cases:	<b>Mr K Hulme</b>	V	<b>Revamp Technologies (UK) Limited</b>
	<b>Miss H Hulme</b>	V	<b>Back2Work Group Employment Service Limited</b>

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision 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: 6 December 2021

"the calculation day" is: 7 December 2021

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

Mr S Artingstall  
For the Employment Tribunal Office

**Case No: 2407287/2021, 2407288/2021 and 2408381/2021**  
**INTEREST ON TRIBUNAL AWARDS**

**GUIDANCE NOTE**

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at [www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426](http://www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426)

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".
3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.
4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).
5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.
6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.