



EMPLOYMENT TRIBUNALS

Claimants: Mrs C Cookson
Mr C Dyzdzan
Mr P Frazer
Mr K Lowe
Mr J McGrath
Mr I Roe
Mr W Roxburgh
Mr P Shelley

Respondent: Lunar Automotive Limited

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21 and Rule 60

Judgments having already been issued for some of the claims brought by some of these claimants, upon the claimants having provided further information, judgment is given in relation to some or all of their remaining claims on the basis of no response having been presented or on the basis of admissions in the response, as follows:

Mrs C Cookson

1. The respondent made an unauthorised deduction from wages by failing to pay the claimant at the normal rate of pay, rather than at the 80% furlough rate, in respect of the bank holiday on 31 August 2020 and the respondent is ordered to pay to the claimant the gross sum of £18.15.
2. The claimant's complaint in respect of underpayments for other bank holidays is dismissed on withdrawal by the claimant.
3. The claimant's remaining complaint in respect of deduction of employee's pension contributions remains stayed in accordance with a case management order sent to the parties on 23 March 2022.

Mr C Dydzan

4. The claimant's complaint in respect of underpayments for bank holidays is dismissed on withdrawal by the claimant.
5. The claimant's remaining complaint in respect of deduction of employee's pension contributions remains stayed in accordance with a case management order sent to the parties on 23 March 2022.

Mr P Frazer

6. The respondent made unauthorised deductions from wages by failing to pay the claimant at the normal rate of pay, rather than at the 80% furlough rate, in respect of the bank holiday on 31 August 2020 and holiday taken on 30 November 2020 and the respondent is ordered to pay to the claimant the gross sum of £46.15.
7. The claimant's complaint in respect of underpayments for other bank holidays is dismissed on withdrawal by the claimant.
8. The claimant's remaining complaint in respect of deduction of employee's pension contributions remains stayed in accordance with a case management order sent to the parties on 23 March 2022.

Mr K Lowe

9. The claimant's complaint in respect of underpayments for bank holidays is dismissed on withdrawal by the claimant.
10. The claimant's remaining complaint in respect of deduction of employee's pension contributions remains stayed in accordance with a case management order sent to the parties on 23 March 2022.

Mr J McGrath

11. The claimant's complaint in respect of underpayments for bank holidays is dismissed on withdrawal by the claimant.
12. The claimant's remaining complaint in respect of deduction of employee's pension contributions remains stayed in accordance with a case management order sent to the parties on 23 March 2022.

Mr I Roe

13. The respondent made unauthorised deductions from wages by failing to pay the claimant at the normal rate of pay, rather than at the 80% furlough rate, in respect of the bank holiday

**Case Numbers: 2419641/2020 and others
(see schedule)**

on 31 August 2020 and holiday taken on 30 November 2020 and the respondent is ordered to pay to the claimant the gross sum of £36.32.

14. The claimant's complaint in respect of underpayments for other bank holidays is dismissed on withdrawal by the claimant.
15. The claimant's remaining complaint in respect of deduction of employee's pension contributions remains stayed in accordance with a case management order sent to the parties on 23 March 2022.

Mr W Roxburgh

16. The respondent made an unauthorised deduction from wages by failing to pay the claimant at the normal rate of pay, rather than at the 80% furlough rate, in respect of the bank holiday on 31 August 2020 and the respondent is ordered to pay to the claimant the gross sum of £22.29.
17. The claimant's complaint in respect of underpayments for bank holidays prior to August 2020 is dismissed on withdrawal by the claimant.
18. The claimant's remaining complaint in respect of deduction of employee's pension contributions remains stayed in accordance with a case management order sent to the parties on 23 March 2022.

Mr P Shelley

19. The respondent made unauthorised deductions from wages by failing to pay the claimant at the normal rate of pay, rather than at the 80% furlough rate, in respect of the bank holiday on 31 August 2020 and holiday taken on 16-20 November 2020 inclusive, 23-27 November 2020 inclusive and 1-2 December 2020 inclusive and the respondent is ordered to pay to the claimant the gross sum of £498.31.
20. The claimant's complaint in respect of underpayments for other bank holidays is dismissed on withdrawal by the claimant.
21. The claimant's remaining complaint in respect of deduction of employee's pension contributions remains stayed in accordance with a case management order sent to the parties on 23 March 2022.

Employment Judge Slater

Date: 12 May 2022

**Case Numbers: 2419641/2020 and others
(see schedule)**

JUDGMENT SENT TO THE PARTIES ON
13 May 2022

.....
AND ENTERED IN THE REGISTER

.....
FOR THE TRIBUNAL OFFICE

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.

Schedule	
Case Numbers	Claimant Names
2418603/2020	Mr Paul Shelley
2418811/2020	Mr Ian Roe
2418812/2020	Mr William Roxburgh
2419487/2020	Mr Paul Frazer
2419548/2020	Mr Craig Dzydzan
2419664/2020	Mr Kevin Lowe
2419641/2020	Miss Carole Cookson
2419915/2020	Mr John McGrath
2402154/2021	Mr Kevin Lowe
2402202/2021	Mr John McGrath
2402144/2021	Miss Carole Cookson
2402767/2021	Mr Paul Shelley
2402768/2021	Mr Ian Roe
2408491/2021	Mr William Roxburgh



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2419641/2020 & others**

Name of case(s): **Miss C Cookson & others (see schedule)** v **Lunar Automotive Limited**

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: 13 May 2022

"the calculation day" is: 14 May 2022

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

For the Employment Tribunal Office