



EMPLOYMENT TRIBUNALS

Claimant: Mr P Kielar

Respondent: Farmers Boy Limited

Heard at: Cardiff (by CVP)

On: 29th April 2022

Before: Employment Judge H V Dieu
(sitting alone)

Representation:

Claimant: In Person

Respondent: Ms E Wheeler (Counsel)

JUDGMENT

The judgment of the Tribunal is that:

1. The Tribunal does not have jurisdiction to consider the claim for unpaid wages on the basis that it was reasonably practicable to bring the claim within the statutory time limit and it was not presented within such further time period as the Tribunal considers reasonable, under s.23(4) Employment Rights Act 1996.
2. The Claimant's claim for unpaid accrued holiday pay is not well founded and is dismissed.
3. The Claimant's claim for unpaid sick pay is well founded. The Respondent is ordered to pay the Claimant the sum of £489.76.
4. The Respondent had not acted vexatiously, abusively, disruptively or otherwise unreasonably in the way that the proceedings or part of them

have been conducted. The Tribunal does not consider that it may exercise its discretion to make a costs order for any other reason. The Claimant's claim for costs pursuant to r.76 Employment Tribunals Rules of Procedure 2013 is refused.

Employment Judge H V Dieu

Dated: 19th May 2022

JUDGMENT SENT TO THE PARTIES ON 23 May 2022

FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS Mr N Roche

NOTE:

This is a written record of the Tribunal's decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal's Rules of Procedure 2013.