

# THE EMPLOYMENT TRIBUNALS

Claimants: Mr J Lindsay (1) Mr L Pope (2)

**Respondents:** The Secretary of State for Business Energy and Industrial Strategy (1) Physioflexx Ltd (In Liquidation) (2)

Heard at:Newcastle Hearing CentreOn:16 December 2022

**Before:** Employment Judge Morris (sitting alone)

**Representation:** 

Claimants:	In person
First respondent:	Mr P Soni, Senior Tribunal Officer
Second respondent:	No appearance

# **REMEDY JUDGMENT**

The judgment of the Employment Tribunal is as follows:

- In respect of the several claims made by respective claimants, the calculation of the amount of "a week's pay" falls to be made in accordance with sections 221(1) and (2) of the Employment Rights Act 1996 utilising the amount that is payable to each of the claimants under their respective contracts of employment; that being £30,000 per annum.
- 2. In the leave year commencing on 1 January 2020 it was not reasonably practicable for either of the claimants to take all of the leave to which they were respectively entitled under regulation 13 of the Working Time Regulations 1998 "as a result of the effects of coronavirus (including on the worker, the employer or the wider economy or society)" and, therefore, in accordance with regulation

13(10) of those Regulations, they are each entitled to carry forward that untaken leave.

# **EMPLOYMENT JUDGE MORRIS**

## JUDGMENT SIGNED BY EMPLOYMENT JUDGE ON 18 December 2022

#### <u>Notes</u>

## <u>CVP</u>

This was a remote hearing, which had not been objected to by the parties. It was conducted by way of the Cloud Video Platform as it was not practicable to convene a face-to-face hearing, no one had requested such a hearing and all the issues could be dealt with by video conference.

#### **Reasons**

Reasons for the above Judgment having been given orally at the hearing, and no request having been made at the hearing, written reasons will not be provided unless a written request is presented within 14 days of the sending of this written record of the Judgment.

#### Public access to employment tribunal decisions

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