



THE EMPLOYMENT TRIBUNAL

SITTING AT: LONDON SOUTH
Remotely via CVP

BEFORE: EMPLOYMENT JUDGE N COX
sitting alone

BETWEEN:

Case No: 2301704-2022

Ms W Holme & Ors

Claimants

And

Folkestone Capital Limited

Respondent

and

Case No: No 2301714- 2022

Mr L Garnett & Ors

Claimants

And

Seaside Hosts Limited

Respondent

ON: 20 December 2022

Appearances:

For the Claimants: In person

For the Respondent: Non attendance

JUDGMENT

1. The correct name of the Seaside Hosts is Seaside Hosts Limited.
2. A claim for discrimination against Folkestone Capital Limited is dismissed on withdrawal.
3. The claims of the claimants in Schedule 1 of unauthorised deductions of wages (arrears of pay and holiday pay) are well-founded and succeed
4. Folkestone Capital Limited shall pay to the claimants the sums set out in Schedule 1 in respect of arrears of wages and holiday pay less any required deductions for tax and national insurance.
5. The claims of the claimants in Schedule 2 of unauthorised deductions of wages (arrears of pay and holiday pay) are well-founded and succeed
6. Seaside Hosts Limited shall pay to the claimants the sums set out in Schedule 2 in respect of arrears of wages and holiday pay less any required deductions for tax and national insurance.
7. The claimant's claims for contractual notice pay are well founded and succeed.
8. Folkestone Capital Limited and Seaside Hosts Limited shall pay the amounts set out in Schedule 1 and Schedule 2 respectively in respect of Notice Pay less any required deductions for tax and national insurance

SCHEDULE 1

FOLKESTONE CAPITAL LIMITED

	START DATE	HOLIDAY PAY 28 Days	NOTICE PAY 2 weeks	ARREARS OF WAGES No of weeks	ARREARS OF WAGES 02.08.2021-31-01-2022	TOTAL AMOUNT TO BE PAID (Gross)
SALARY MONTHLY						
RICHARD KNIGHTS	2-11-2010	£ 2,928.80	£ 1,046.00	26	£ 13,598.00	£ 17,598.80
KERRY AIRD	20-05-2010	£ 2,436.00	£ 870.00	26	£ 11,310.00	
SALARY WEEKLY						
WENDY SWEET	03-12-2018	£ 2,584.62	£ 923.08	26	£ 12,000.04	£ 15,533.74
JOHN DITCHBURN	8-11-2010	£ 2,692.21	£ 961.54	26	£ 12,500.02	£ 16,179.77
WEEKLY HOURLY						
			Hourly Rate = 8.91		Hourly rate = £8.91	
			G'teed Hours 20/wk		Guaranteed hours 20h/wk	
EWA KOBYLARZ	29-09-2008	£ 3,570.00	£ 356.40	26	£ 4,633.20	£ 8,585.60
GREGORY KRAWULSKI	3-10-2016	£ 2,261.00	£ 356.40	26	£ 4,633.20	£ 7,276.60
ALFREDO RODRIGUEZ	18-07-2016	£ 1,192.74	£ 356.40	26	£ 4,633.20	£ 6,208.34
KIMBERLY SHEARER	16-10-2013	£ 1,055.88	£ 356.40	26	£ 4,633.20	£ 6,071.48
JENNIFER TRANTER	26-09-2016	£ 1,233.40	£ 356.40	26	£ 4,633.20	£ 6,249.00
LAUREN HOUGHTON	10-09-2019	£ 1,854.10	£ 356.40	26	£ 4,633.20	£ 6,869.70
TOTAL		£ 21,808.75	£ 5,939.02		£ 77,207.26	£ 90,573.03

SCHEDULE 2

SEASIDE HOSTS LIMITED	START DATE	HOLIDAY PAY 28 Days		NOTICE PAY 2 Weeks		ARREARS OF WAGES Weeks	ARREARS OF WAGES 02.08.2021-31-01-2022		TOTAL AMOUNT TO BE PAID (Gross)
SALARY MONTHLY									
LEE GARNETT	04/07/2016	£	3,230.75	£	1,153.84	26	£	14,999.92	£ 19,410.51
SALARY WEEKLY									
PIOTR FIGORSKI	11/05/2015	£	2,369.24	£	846.16	26	£	11,000.08	£ 14,241.48
DANA MAJED	25/06/2014	£	2,061.24	£	736.16	26	£	9,570.08	£ 12,393.48
WEEKLY HOURLY									
				Hourly rate = £8.91 G'teed hours 20h/wk			Hourly rate = £8.91 Guaranteed hours 20h/wk		
AWAT AHMED	13/07/2015	£	2,626.00	£	356.40	26	£	4,633.20	£ 7,641.60
RITA CARRION	26/09/2014	£	1,788.42	£	356.40	26	£	4,633.20	£ 6,804.02
CATALINA COSTEA	02/03/2015	£	1,908.14	£	356.40	26	£	4,633.20	£ 6,923.74
BARRY OSTRIDGE	27/04/2015	£	1,959.38	£	356.40	26	£	4,633.20	£ 6,974.98
ANGELO SIRACUSA	06/06/2011	£	1,938.60	£	356.40	26	£	4,633.20	£ 6,954.20
DOVILLE ZACHAROVA	02/11/2015	£	1,901.36	£	356.40	26	£	4,633.20	£ 6,916.96
TOTAL		£	19,783.13	£	4,874.56		£	63,369.28	£ 88,260.97

Employment Judge N Cox
Date: 20 December 2022

NOTE

Written reasons will not be provided unless they are asked for by any party at the hearing itself or by written request presented by any party within 14 days of the sending of the written record of the decision.

Public Access to Employment Tribunal Judgments

All judgments and written reasons for the judgments are published online shortly after a copy has been sent to the Claimant(s) and Respondent(s) in a case. They can be found at : www.gov.uk/employment-tribunal-decisions



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SCHEDULE 2

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