



EMPLOYMENT TRIBUNALS

Claimant: Mr B Baron

Respondent: Innspired Hospitality Ltd

CERTIFICATE OF CORRECTION **Employment Tribunals Rules of Procedure 2013**

Under the provisions of Rule 69, the Judgment sent to the parties on 14 December 2022 is corrected as set out in block type at heading:

1. Correctly spelt name of claimant "Mr B Baron."
2. Correctly spelt name of respondent "Innspired Hospitality Ltd."

Employment Judge Shotter
Date 23 January 2023

SENT TO THE PARTIES ON
14 February 2023

FOR THE TRIBUNAL OFFICE

Important note to parties:

Any dates for the filing of appeals or reviews are not changed by this certificate of correction and corrected judgment. These time limits still run from the date of the original judgment, or original judgment with reasons, when appealing.



EMPLOYMENT TRIBUNALS

Claimant: Mr B Baron

Respondent: Innspired Hospitality Ltd

HELD AT: Liverpool (by CVP)

ON: 8 November 2022

BEFORE: Employment Judge Shotter

Parties:

Claimant: In person

Respondent: not in attendance

JUDGMENT

The judgment of the Tribunal is:

- (1) The respondent failed to pay to the claimant any wages from the 3 March 2022 to 17 March 2022 and the claimant's claim for an unlawful deduction of wages is well-founded. The respondent is ordered to pay outstanding wages in the sum of £1201.92 gross less lawful deductions of tax and national insurance (£25,000 per annum £480.88 gross per week).
- (2) The claimant's claim for unpaid accrued holidays brought under the Working Time Regulations 1998 is well founded and the respondent is ordered to pay to the claimant the sum of accrued 1-day unpaid holiday £120.19 gross less lawful deductions of tax and national insurance.
- (3) The claimant was employed from the 3 March 2022 to 17 March 2022. The respondent failed to provide the claimant with a statement of initial employment particulars in accordance with section 1 of the Employment Rights Act 1996 and it is just and equitable to award the claimant four weeks' pay. The respondent is ordered to pay to the claimant compensation in the sum of

£1923.08 (one thousand nine hundred and twenty-three pounds and eight pence calculated at £480.77 per week x 4 weeks).

- (4) The claimant's claim of discrimination on the grounds of sexual orientation is dismissed on withdrawal.
- (5) The final hearing is taken out of the list for 17, 18 and 19 June 2024 and the parties need not attend.

REASONS

The respondent having failed to present a response to the claimant's claim within the appropriate period, judgment is entered for the claimant in default the judge having actively considered whether a determination of the claim can be made, and on hearing the claimant and taking into account the Grounds of Complaint concluded a rule 21 Judgment can be entered in favour of the claimant.

8.11.22 amended 23.1.23
Employment Judge Shotter

JUDGMENT SENT TO THE PARTIES ON
14 December 2022
And amended judgment sent on
14 February 2023

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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2405741/2022 & Other**

Name of case: **Mr B Baron** v **Innspired Hospitality Ltd**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 14 December 2022

the calculation day in this case is: 15 December 2022

the stipulated rate of interest is: **8% per annum**.

Mr S Artingstall
For the Employment Tribunal Office

GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:
www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.