



EMPLOYMENT TRIBUNALS

Claimant: Mrs A Hunt
Respondent: Stephensons Butchers Limited

AT A HEARING

Heard at: Leeds by CVP video conferencing **On:** 23rd March 2023
Before: Employment Judge Lancaster

Representation

Claimant: Mr B Palmer, solicitor
Respondent: Mr M Lawrence, director

JUDGMENT

1. BY CONSENT, the Respondent is ordered to pay to the Claimant the sum owed in respect of 7 days untaken annual holiday pro-rata rounded up as at the date of termination, 11th June 2022, at a 6 day weekly rate of £168.92, namely £197.07 gross.
2. Pursuant to section 38 of the Employment Act 2000 the above award is increased by £337.84, 2 weeks pay, because the Respondent was in breach of its duty to provide a written statement of the terms and conditions of employment as required by section 1 of the Employment Rights Act 1996.
3. The fact that for the majority of her period of employment, between 2005 and 2017, the Claimant was herself a director of the Respondent company is not an exceptional circumstance such that it would be unjust or inequitable to increase the award as above. Nor, however, in the circumstances of her having also been a director is it just and equitable further to increase that award by the higher amount of 4 weeks' pay.
4. The complaints of unfair dismissal and of wrongful dismissal (breach of contract) are dismissed upon withdrawal.

EMPLOYMENT JUDGE LANCASTER

DATE 23rd March 2023