



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms A Decembre

**Respondent:** Secretary of State for Business, Energy and Industrial Strategy

**Heard at:** Birmingham, by video (CVP)

**On:** 18 April 2023

**Before:** Employment Judge Coghlin KC

## Appearances

For the claimant: In person

For the respondent: No appearance (written submissions only)

## JUDGMENT

1. The claimant's complaint under section 188 of the Employment Rights Act 1996 ("ERA 1996") is well-founded.
2. The tribunal declares that the respondent ought to make a payment to the claimant under s182 ERA 1996.
3. The amount of the payment which the respondent ought to make is **£623.84 (less any appropriate deductions in respect of tax and national insurance contributions)** in respect of holiday pay. This sum is calculated on the basis that the claimant was owed holiday pay for 79 hours at the gross rate of £9.05 per hour, giving a gross total of £714.95 owed. The respondent has until now only made a payment reflecting a gross total of £91.11 owed. The balance is £623.84.

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Employment Judge Coghlin KC

18 April 2023