



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs A Lee

**Respondent:** Mr E Gravil t/a Barnies Rubble DIY

**HELD by Cloud Video Platform (CVP) at Leeds ON: 4 April 2023**

**BEFORE:** Employment Judge Shulman

## REPRESENTATION:

**Claimant:** In person

**Respondent:** In person

# JUDGMENT

1. The proper title of the respondent is Mr E Gravil trading as Barnies Rubble DIY.
2. The respondent shall pay the claimant the sum of £1980.00 by way of holiday pay without conditions.
3. The claims of unfair dismissal, no notice pay, unauthorised deduction of wages and no sick pay are hereby dismissed upon withdrawal by the claimant.

# REASONS

## 1. Claims

These are set out in the Judgment.

## 2. Issues

The parties reached agreement in relation to the question of holiday pay on the claimant withdrawing the balance of her claims. There are no issues.

## 3. Matters occurring during the hearing

- 3.1. At the outset it was clear that the respondent was having difficulty with his internet transmission and despite receiving advice from the clerk the

situation did not improve. There was no video picture of the respondent although his voice could be heard clearly.

- 3.2. The respondent indicated that he was willing to pay the claimant her holiday pay as claimed on condition that the claimant returned to the respondent property which he alleged she had removed from the respondent's premises.
- 3.3. The Tribunal explained to the respondent that it did not have power to make any Order in relation to the alleged removal of property.
- 3.4. Because of the poor internet signal of the respondent the Tribunal stated that the case would have to be adjourned and heard on a face to face basis.
- 3.5. The claimant objected to this on the grounds of her mental health and on the grounds that she could not be in the room as the respondent. The Tribunal informed the claimant that she would have to supply medical evidence to substantiate her mental health and that it made her unable to attend a face to face hearing.
- 3.6. It was at that point that the claimant indicated that she was prepared to accept a payment for holiday pay and withdraw the remainder of her claims.
- 3.7. The respondent indicated that he would be prepared to make payment of the holiday pay without condition and in particular with regard to the alleged removal of property.
- 3.8. In the circumstances the parties effectively reached settlement, by the respondent paying holiday pay without condition and the claimant withdrawing the remainder of her claims.

#### **4. Determination**

- 4.1. The case was determined in accordance with the Judgment as mentioned above.

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**Employment Judge Shulman**

Date: 25 April 2023