



EMPLOYMENT TRIBUNALS

Claimant: Miss J Forster & others

Respondent: Sydney's Enterprises Limited

Heard at: Leeds Employment Tribunal (CVP) **On:** 23 June 2023

Before: Employment Judge G Elliott (sitting alone)

Representation

Claimants: In person

Respondent: Did not attend

JUDGMENT

1. The claimant Mr J Walker did not attend the hearing or answer a telephone call from the Tribunal on the day of the hearing. No correspondence from Mr Walker has been received by the Tribunal since his claim form. The remaining claimants (hereafter referred to as "the claimants") explained their understanding that he did not wish to pursue his claim. Accordingly his claim number 1800236/23 is dismissed.

2. The respondent did not present a response to any of the claims. The respondent did not attend the hearing, apply for written representations to be taken into account at the hearing, or answer a telephone call from the Tribunal on the day of the hearing. Accordingly the claims proceeded in the respondent's absence.

3. The claimants' complaints in respect of unpaid wages, holiday pay and notice pay were not presented within the Tribunal time limits. However, it was not reasonably practicable for them to be presented within such limits, and they were presented within a reasonable period thereafter.

4. The claimants were dismissed by reason of redundancy and Ms Ogden and Ms Holgate are entitled to a statutory redundancy payment as set out in the table.

5. The respondent was in breach of contract by dismissing the claimants without notice. The respondent is ordered to pay to the claimants the gross sums set out in the table, being damages for breach of contract. These sums are subject to applicable deductions for tax and employee national insurance contributions.

6. The respondent made unauthorised deductions from the claimants' wages and is ordered to pay to the claimants the gross sums set out in the table, in respect of

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the amounts unlawfully deducted. These sums are subject to applicable deductions for tax and employee national insurance contributions.

7. The claimants' complaints in respect of holiday accrued to termination of employment is upheld. The respondent is ordered to pay to the claimants the gross sums set out in the table, in respect of the amounts unpaid. These sums are subject to applicable deductions for tax and employee national insurance contributions.

8. Table of sums:

	Statutory redundancy pay	Notice pay	Wages	Holiday pay
1800194/2023 Miss J Forster	-	2 weeks: £270.40	£735	£315.47
1800200/2023 Mr M Warburton	-	1 week: £160.55	£749.77	£374.62
1800237/2023 Miss E Holgate	3 x .5 weeks: £119.39	3 weeks: £238.77	£371.69	£185.71
1800239/2023 Miss K Ogden	2 x .5 weeks: £59.95	2 weeks: £119.70	£605.50	£139.65
1800398/2023 Miss A White	-	1 week: £135.45	£595.98	£311.54
1800841/2023 Miss J Owens	-	1 week: £138.12	£598.50	£64.97
2401540/2023 Miss R Goddard	-	1 week: £73.72	£368.60	£165.87

Employment Judge G Elliott

Date 23 June 2023

Notes

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.

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