



# THE EMPLOYMENT TRIBUNAL

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**Claimant**  
**Ms Linda Gilday**

**v**

**Respondent**  
**The Box Tree Pub and Bars Ltd**

**Heard at:** London South Employment Tribunal by CVP  
**On:** 8 August 2023  
**Before:** Employment Judge Martin

**Appearances**

**For the Claimant:** In person  
**For the Respondent:** Did not attend

## **JUDGMENT**

*The Judgment of the Tribunal is that:*

1. The Claimant's claim of unfair dismissal is dismissed as she does not have the qualifying period of service required.
2. The Claimant withdrew her claim for disability discrimination and this claim is dismissed.
3. The Respondent failed to pay outstanding holiday due on termination of employment.
4. The Respondent shall pay to the Claimant £4,158 representing 28 days unpaid holiday

(Statutory holiday entitlement is 28 days per year. Pro-rata for time the Claimant was employed is 21 days. Unused statutory holiday can not be carried over to the following year. One day's pay is calculated on £13.50 per hour with an average 11-hour day).

5. The Respondent breached the Claimant's contract by not giving or paying her statutory notice period of one week.
6. The Respondent shall pay the Claimant £945.00

(The Claimant worked an average of 70 hours per week £13.50 per hour).

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Employment Judge Martin  
Date: 08 August 2023