



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr J Ellis

v

Mayfair Residential Care Home Ltd

PUBLIC HEARING

Heard: BY CVP

On: 21 August 2023

Before:

Employment Judge JM Wade

Representation:

Claimant:

In person

Respondent:

Mr W Haines

Introduction. This has been a final hearing by CVP after a hearing in May was unable to determine the claims and case management orders were instead made. By early this morning it was clear that the claimant's claims were largely agreed by the respondent, or in excess of the sums set out by the claimant (as to holiday pay) and that the difference between them largely related to the total. The claimant had not given credit for a redundancy payment sum paid on or around 14 October 2022. I was also satisfied that the claims had been presented within the appropriate time limits as the last payment made to the claimant was on or around 14 November 2022 and this was the date when the balance of notice pay and holiday pay ought properly to have been paid.

JUDGMENT

1. The claimant is entitled to a statutory redundancy payment of £2812.50 of which £2435.63 was paid, and the respondent shall therefore pay to him the balance of **£376.87**.
2. The claimant's complaint of unlawful deduction from wages is upheld and the respondent shall pay to him the following gross sums:
 - 2.1. Holiday pay on the termination of employment: **£853.37**
 - 2.2. Notice pay: **£2625.00**.
3. The total sum payable to the claimant is **£3855.24**

Employment Judge JM Wade

21 August 2023

Note: the reasons for the Judgment above were provided at the time. Any request for written reasons to be typed shall be made in writing, copied to all parties, and submitted within 14 days of the sending of this Judgment. Written reasons are published on the Tribunal's website shortly after they are made available to the parties.