



THE EMPLOYMENT TRIBUNALS

Claimant: (1) Ms A Dixon
Claimant (2) Mrs S Taylorson

Respondent: Upperby Social Club Ltd (In Receivership)

Heard at: Manchester Employment Tribunal

By:-Telephone (having been converted from a CVP hearing due to IT issues)

On: 19 September 2023

Before: Employment Judge Martin

Representation:

Claimants (1) & (2): Mr Collins (CAB representative) with both claimants in attendance

Respondent: No attendance or representation

Interested Party: Ms S Booth, of Mazars, Law of Property Act (LPA) Receiver

JUDGMENT

- 1) This Tribunal has determined that it has jurisdiction to hear both claimants' claims for breach of contract (notice pay) and breach of the working time regulations (holiday pay).
- 2) The first claimant's complaint for breach of contract (notice pay) is well founded and the respondent is ordered to pay the first claimant the sum of £1160.
- 3) The first claimant's complaint for breach of the working time regulations (notice pay) is well founded and the respondent is ordered to pay the first claimant the sum of £172.90.
- 4) The second claimant's claim for a redundancy payment is well founded and the respondent is ordered to pay the second claimant the sum of £1026.

- 5) The second claimant's complaint for breach of contract (notice pay) is well founded and the respondent is ordered to pay the second claimant the sum of £684.
- 6) The second claimant's claim for breach of the working time regulations is well founded and the respondent is ordered to pay the second claimant the sum of £109.25.

REASONS

Oral reasons were given at the hearing in respect the jurisdictional issue. The parties are entitled to apply for written reasons within fourteen days of the date when this judgment is sent to the parties.

No Response having been filed by the Respondent, the Tribunal proceeded to issue Judgements under Rule 21 of Schedule 1 of the ETs (constitution and Rules of Procedure) Regulations 2013.

EMPLOYMENT JUDGE MARTIN

**JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON
26 September 2023**

**JUDGMENT SENT TO THE PARTIES ON
2 October 2023**

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2408824/2022 & Other**

Name of case: **Mrs A Dixon** v **Upperby Social Club Ltd**
& Other (In Receivership)

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 2 October 2023

the calculation day in this case is: 3 October 2023

the stipulated rate of interest is: **8% per annum**.

Mr S Artingstall
For the Employment Tribunal Office

GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:

www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.