



EMPLOYMENT TRIBUNALS

Claimant: Mr E Nagy
Respondent: Heartbreakers (SO15) Ltd
Heard at: Exeter (via video (CVP))
On: 19 September 2023
Before: Employment Judge Cuthbert
Representation:
Claimant: Represented himself
Respondent: Did not attend

JUDGMENT

The judgment of the Tribunal is as follows:

1. The claimant's claim for holiday pay is well-founded and succeeds – the respondent failed to pay the claimant in lieu of untaken holiday, to which he was entitled on termination of his employment.
2. The respondent is ordered to pay to the claimant (less any applicable statutory deductions) **£734.46** in respect of the holiday pay due¹.

Employment Judge
19 September 2023

JUDGMENT SENT TO THE PARTIES ON
10 October 2023 By Mr J McCormick

FOR THE TRIBUNAL OFFICE

¹ See attached Appendix for calculation

Appendix - calculations

Claimant employed: 5 October 2022 to 28 January 2 2023 = 115 days

Claimant worked 45 hours per week, 5 days a week, salary £28,000

A week's pay²: $28,000/52 = \mathbf{£538.46}$

Holiday entitlement on termination³:

$(5.6 \times (115/365)) - 2/5$ weeks' holiday taken = **1.364 weeks**

Payment in lieu due on termination: $1.364 \times £538.36 = \mathbf{£734.46}$

Less amount paid by the respondent: **£0**

Balance due to claimant: **£734.46**

² See Employment Rights Act 1996, Chapter II

³ See Regulation 14, Working Time Regulations 1998