



EMPLOYMENT TRIBUNALS

Claimant: Mrs J Sanderson

1st Respondent: Floor Centre (Yorkshire) LTD

2nd Respondent: Mr Richard Gill

Heard at: Liverpool (by video hearing)

On: 19 January 2024

Before: Employment Judge Buzzard (sitting alone)

REPRESENTATION:

Claimant: In Person

1st Respondent: No Appearance

2nd Respondent: No Appearance

JUDGMENT

1. The claimant's claims were all claims that can only be pursued against her employer. The claimant was employed by the first respondent only. The claimant's claims against the second respondent are all dismissed.
2. The claimant's claim that she was not paid for her notice period is well founded and succeeds. The claimant informed the Tribunal that she commenced a new job part way through her notice period, and fully mitigated any losses from that point. Accordingly, the first respondent is ordered to pay to the claimant, within 28 days of the date of this judgment, compensation in the amount of **£750**. This represents 10 days gross pay.
3. It is found that it was agreed that the claimant could carry 8 days holiday pay forward to the leave year in which her employment terminated. Taking into

account that the claimant is found to have taken 9 days holiday in the leave year her employment terminated, two more than she had accrued, the claimant is found to have had 6 days holiday owed as at the date of termination of her employment. The respondent is ordered to pay to the claimant, within 28 days of the date of this judgment, compensation in the amount of **£450**, representing 6 days gross pay.

4. The claimant's claim that she was owed 7 hours' overtime pay is not well founded and is dismissed.

Employment Judge Buzzard
19 January 2024

JUDGMENT SENT TO THE PARTIES ON
29 January 2024

FOR THE TRIBUNAL OFFICE

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.

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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here: <https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practicedirections/>



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2408755/2023**

Mrs J Sanderson v Floor Centre (Yorkshire) LTD & Mr Richard Gill

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 29 January 2024

"the calculation day" is: 30 January 2024

"the stipulated rate of interest" is: **8%**

Mr P Guilfoyle
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

1 GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/collections/employment-tribunal-forms

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.