



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Andrzej Haciski

**Respondent:** S J Bargh Limited

**Heard at:** Manchester (by CVP)

**On:** 3<sup>rd</sup> April 2023

**Before:** Employment Judge Cline (sitting alone)

## **Representation**

Claimant: Miss Justyna Letkiewicz (lay representative)

Respondent: Miss Rebecca Jones, counsel

# JUDGMENT

## **IT BEING RECORDED THAT:**

- 1) Following the hearing on 3<sup>rd</sup> April 2023 and the judgment sent to the parties thereafter, neither party updated the Tribunal as required so Employment Judge Ainscough sent a further request to the parties dated 1<sup>st</sup> August 2023 for an update by 15<sup>th</sup> August 2023;
- 2) By way of an email to the Tribunal dated 6<sup>th</sup> September 2023 (which appears to have been copied to the Claimant's lay representative), the Respondent set out a summary of the discussions that had taken place between the parties, during which the Claimant's representative is said to have agreed that the judgment sum for the relevant period should be £98.82, and commented that the Claimant's representative had not responded to them further since 3<sup>rd</sup> July 2023 "despite numerous chasing emails being sent";
- 3) Following this email of 6<sup>th</sup> September 2023, Employment Judge Cline sent a further letter to the parties noting that the matter appears to have settled and that no further hearing appears to be required. It was made clear that the Tribunal's intention is to enter judgment for £98.82 unless, by 12<sup>th</sup> January 2024, the Claimant asks for a further hearing to be listed as the matter has not in fact been concluded; and
- 4) The Tribunal has not received any further response from the Claimant.

**IT IS ORDERED THAT:**

- 1) The Claimant's claim for unpaid holiday pay has been compromised between the parties and the Respondent shall pay to the Claimant the gross sum of £98.82. The Claimant shall be responsible for the payment of any tax or National Insurance arising.

Employment Judge Cline

Date 14<sup>th</sup> February 2024

JUDGMENT SENT TO THE PARTIES ON

Date: 28<sup>th</sup> February 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](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case. 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. You can access the Direction and the accompanying Guidance here: <https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

**Tribunal case number: 2408500/2022**

**Mr Andrzej Haciski v S J Bargh Limited**

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: 28 February 2024

"the calculation day" is: 29 February 2024

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

Mr P Guilfoyle  
For the Employment Tribunal Office

## INTEREST ON TRIBUNAL AWARDS

### **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](http://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.