



# EMPLOYMENT TRIBUNALS

**Heard at:** Croydon (by video) **On:** 21 August 2024

**Claimant:** Mr Dimitrios Mitsopoulos

**Respondent:** The Yummy Palette Limited

**Before:** Employment Judge E Fowell

**Representation:**

**Claimant** In Person

**Respondent** Mr Sanjay Ahuja, Manager

## JUDGMENT

1. The claims for unpaid holiday pay are upheld.
2. The claimant is awarded compensation for unpaid holiday of **£1,861.00** for holiday pay broken down as follows:
  - (a) holiday pay in the holiday year from 1 January 2020, for five days at £71.43 per day, i.e. £357.15
  - (b) holiday pay in the holiday year from 1 January 2021, for five days at £80.77 per day, i.e. £403.85
  - (c) holiday pay in the holiday year from 1 January 2020, for 11 days at £100.00 per day, i.e. £1,100
3. These sums are awarded as unlawful deductions from wages. Applying the guidance in **Walters t/a Rosewood v Barik UKEAT/0053/16/BA**, the award for is a gross amount which the respondent can satisfy by payment to the claimant of the net amount due and payment to HMRC of any tax and national insurance which falls to be deducted at source.
4. The respondent is also liable to pay the claimant two weeks' pay for failing to provide him, within his first two months of employment, with a qualifying statement

of terms and conditions, in the sum of **£200**. No tax or national insurance is due on that sum.

5. The total amount payable is therefore **£2,060.81**

Employment Judge Fowell

Date 21 August 2024

#### **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.

#### **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-practice-directions/>