



EMPLOYMENT TRIBUNALS

Claimant

Mr O Ola-Said

v

Respondent

Lumi Support Limited

Heard at: Leeds

On: 5, 6, 7 and 10 February 2025

Before: Employment Judge James
Ms J Lancaster
Mr D Eales

Representation

For the Claimant: Represented himself

For the Respondent: Mrs K Singh, solicitor

JUDGMENT

- (1) The claim for unpaid holiday pay succeeds, by agreement between the parties, in the sum of £431.38 holiday pay and £168.28 as compensation by way of interest on the total amount unpaid (s.13 Employment Rights Act 1996/Regulation 30 Working Time Regulations 1998). The respondent must pay to the claimant these amounts without deductions. The respondent will be responsible for paying any tax or national insurance on the sum of £431.38. Tax should not be payable on the interest – since that is compensation for late payment, not wages.
- (2) The claimant had not been provided with a statement of particulars of employment by the time these proceedings were commenced. The respondent does not argue that there are exceptional circumstances such that an award of two weeks pay should not be made. The tribunal does not find it would be just and equitable to award four weeks pay instead of two weeks pay. The claimant is therefore awarded the sum of £717.25.
- (3) The protected disclosure claims/Working Time Regulations 1998 detriment claims (ss 47B/45A Employment Rights Act 1996) do not succeed and are dismissed.
- (4) No Acas uplift is payable on the above sums.

Employment Judge James
North East Region

Dated 10 February 2025

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-practice-directions/>