EMPLOYMENT TRIBUNALS

Claimant: Victoria Hawkins

Respondent: Bidvest Noonan (UK) Ltd

Heard at: London Central (by CVP) **On:** 05 November 2025

Before: Employment Judge Duff

REPRESENTATION:

Claimant: In person

Respondent: Ms Ralph (Solicitor)

JUDGMENT

Preliminary Issue: Extension of time application

1. The Respondent failed to file their ET3 in accordance with the Practice Direction and it was rejected by the Tribunal. The ET3 was refiled 11 days out of time accompanied by an application for an extension of time.
2. The Tribunal considered the reason given for the incorrect filing was not reasonable. Clear instructions of the available methods for filing the ET3 were

provided to the respondent within the notice of the claim. The tribunal also considered the contents of the response did not demonstrate a defence to the claimant's claims. The Tribunal considered that the respondent had acted swiftly to remedy the error once they were notified of it and that no significant prejudice had been caused to the claimant. However, the Tribunal's time limits are strict, and in the absence of a credible reason for the failure, or any mitigating factors, it was not minded to grant the extension.

3. The respondent's application for an extension of time to file the ET3 is duly dismissed.

The judgment of the Tribunal is as follows:

Holiday Pay

1. The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holiday accrued but not taken during the period 01 January 2024 to 31 March 2024 in the sum of £876.26.

2. The respondent also underpaid the claimant for the annual leave she took between February 2024 and March 2025 in the sum of £304.80.

Total

3. Accordingly, the respondent is ordered to pay the claimant total sum of **£1181.06**. The claimant is responsible for paying any tax or National Insurance.

Employment Judge Duff

5th November 2025

Judgment sent to the parties on:

25 November 2025

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For the Tribunal:

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