



EMPLOYMENT TRIBUNALS

Claimant: Miss D M Fearon

Respondent: Antony Berry

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

No response having been presented and on the information before the Employment Judge, the Judgment of the Tribunal is that:

1. This claim was reinstated administratively in March 2018, having been rejected when originally presented for non-payment of an issue fee under Rule 11 of the 2013 Rules which was then in force.
2. The claimant was employed by the respondent who traded as First National Wine Bar in Liverpool.
3. The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of £2,854.24 (representing 9 years' continuous service of which 4 were when aged over 41 years, at her gross weekly pay of £259.84).
4. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the sum of £1,091.33 (representing 2 years' outstanding holiday pay in respect of the annual shortfall in holiday pay paid by the respondent of 8.4 days per year at the daily rate of £64.96). This award is limited to 2 years by the Deduction from Wages (Limitation) Regulations 2014.

Regional Employment Judge Parkin

Date: 17 May 2018

JUDGMENT SENT TO THE PARTIES ON

18 May 2018

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2404528/2018

Name of Miss DM Fearon v Antony Berry
case(s):

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: 18 May 2018

"the calculation day" is: 19 May 2018

"the stipulated rate of interest" is: 8%

MISS H KRUSZYNA
For the Employment Tribunal Office