



EMPLOYMENT TRIBUNALS

Claimant: Mrs C Richards

Respondent: Sixteen Plus Limited

Heard at: Watford

On: 7 January 2020

Before: Employment Judge Manley

Representation

Claimant: Mr D Lemer, counsel

Respondent: Mr J Tee, director

JUDGMENT

- 1 The response is accepted. It was either presented in time or, if it was not, it is in the interests of justice that it be accepted.
- 2 The application to further amend the claim under the President's direction 117a so that the holiday pay claim includes the period up to 5 December 2019 is allowed.
- 3 The calculation of the claimant's holiday pay (pursuant to Regulation 13 of Working Time Regulations 1998) must take into account sums the claimant received for "Sleep-ins" in addition to pay for other work done by her.
- 4 A hearing for remedy has now been agreed to take place before Employment Judge Manley on **Tuesday 7 April 2020** at Watford Employment Tribunal, Radius House, 51 Clarendon Road, Watford, WD17 1HP. It is listed for **three hours**, to commence at 10am. Orders are made below, by agreement, for preparation for that hearing.

ORDERS

Made pursuant to the Employment Tribunal Rules 2013

- 1 The Claimant will send an updated schedule of loss to the respondent and the tribunal by **4 February 2020**.
- 2 The respondent will send a counter schedule of loss **or** state, in clear terms, where it agrees or disagrees with the claimant's calculations, to the claimant and the tribunal by **3 March 2020**.

CONSEQUENCES OF NON-COMPLIANCE

1. Failure to comply with an order for disclosure may result on summary conviction in a fine of up to £1,000 being imposed upon a person in default under s.7(4) of the Employment Tribunals Act 1996.
2. The Tribunal may also make a further order (an “unless order”) providing that unless it is complied with, the claim or, as the case may be, the response shall be struck out on the date of non-compliance without further consideration of the proceedings or the need to give notice or hold a preliminary hearing or a hearing.
3. An order may be varied or revoked upon application by a person affected by the order or by a judge on his/her own initiative.

Employment Judge Manley

Date 7 January 2020 _____

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

Note

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.