



EMPLOYMENT TRIBUNALS

Claimants: Mr S Williams
Mr S McArdle

Respondent: Supersafety Limited

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

The time for presenting a response having expired, and no valid response having been presented by the respondent within the prescribe time limit,

It is the judgement of the Tribunal that:

1. The claims for:
 - a) Notice pay in accordance with section 86 of the Employment Rights Act 1996 – the right to minimum notice;
 - b) Holiday pay in accordance with Regs 15 and 16 of the Working Time Regulations 1998 ;
 - c) Statutory redundancy pay in accordance with section 139 of the Employment Rights Act 1996;

are well founded , and the Tribunal makes the following awards:

Sean Williams

- a) The respondent failed to pay the claimant during the notice period and is ordered to pay the net sum of **£676.16**, and to account to HMRC for any tax and national insurance due upon the gross amount.

- b) The respondent failed to pay the claimant accrued annual leave on termination of employment and is ordered to pay the gross sum of **£441.54**, from which the respondent is to deduct and account to HMRC for the appropriate sums, if any, in respect of tax and national insurance.
- c) The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of **£788.48** which the respondent is ordered to pay him.

Steven Mc Ardle

- d) The respondent failed to pay the claimant for the notice period and is ordered to pay the gross sum of **£797.58**, from which the respondent is to deduct the appropriate sums, if any, in respect of tax and national insurance.
- e) The respondent failed to pay the claimant accrued annual leave on termination of employment and is ordered to pay the gross sum of **£369.23** from which the respondent is to deduct the appropriate sums, if any, in respect of tax and national insurance.
- f) The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of **£923.08** which the respondent is ordered to pay him.

Employment Judge Holmes
Date: 13 December 2021

JUDGMENT SENT TO THE PARTIES ON
16 December 2021
AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): **2409229/2021 & Other**

Name of case(s): **Mr S Williams
Mr S McArdle**

Supersafety Limited

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 judgment day" is: 16 December 2021

"the calculation day" is: 17 December 2021

"the stipulated rate of interest" is: **8%**

Mr S Artingstall
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".
3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.
4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).
5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.
6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.