



# THE EMPLOYMENT TRIBUNAL

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**Claimant:** Mr Mihai

**Respondent:** Eight Holyrood Limited t/a Nine Lives Bar

**Heard at:** London South Employment Tribunal (video hearing)

**On:** 9 November 2022

**Before:** Employment Judge Robinson

**Representation**

Claimant: Ms Richardson (Friend of the Claimant)

Respondent: Mr Gage, Director

## **JUDGMENT**

The judgment of the Tribunal is that:

1. The Claimant was a worker for the purposes of the Working Time Regulations 1998 and the Employment Rights Act 1996.
2. The Respondent was in breach of contract for dismissing the Claimant without notice. The Respondent is ordered to pay the Claimant £245.80 being damages for breach of contract.
3. The Respondent failed to comply with regulations 13 and 13A of the Working Time Regulations 1998 in relation to accrued but unpaid holiday pay. The Respondent is ordered to pay the Claimant £1,755.01.
4. The Respondent is ordered to pay the Claimant additional compensation of £491.60 pursuant to section 38 of the Employment Act 2002, for failure to provide a written statement of employment particulars.

**Employment Judge Robinson**

Date: 09 November 2022