



EMPLOYMENT TRIBUNALS

Claimant: Mr G Smith

Respondent: Parks of Hamilton (Coach Hirers) Ltd

Heard at: Manchester Employment Tribunal

On: 27 January 2021

Before: Employment Judge Cronshaw

Representation

Claimant: In person

Respondent: Ms L Usher (Solicitor)

JUDGMENT

1. This has been a hybrid remote hearing which has been consented to by all parties at a previous hearing. The form of remote hearing was Code V, which means that the hearing took place with attendance of the respondent by video conference using the Tribunal's CVP video platform. The claimant attended in person. Attendance by all parties was not practicable due to Covid-19 restrictions and no-one requested the same.
2. The claimants claim for holiday pay is dismissed on withdrawal.
3. The claimants claim for breach of contract succeeds by consent.
4. The respondent is ordered to pay the claimant damages for breach of contract in the sum of £420.00. This reflects the amount to which the claimant was entitled as notice pay. This is a net sum but has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on this sum as "Post Employment Notice Pay".
5. The complaint of unauthorised deductions from pay is well founded. The respondent is ordered to pay to the claimant the net sum of £414.66 in respect of the amount unlawfully deducted.

Case No: 2405546/20

Code: V

Employment Judge Cronshaw

Date: 27.01.21

SENT TO THE PARTIES ON

9 February 2021

FOR EMPLOYMENT TRIBUNALS

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2405546/2020**

Name of case: **Mr G Smith** v **Parks of Hamilton (Coach
Hirers) Ltd**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding discrimination or equal pay awards or sums representing costs or expenses), shall carry interest where the sum remains unpaid on a day ("*the calculation day*") 42 days after the day ("*the relevant judgment day*") that the document containing the tribunal's judgment is recorded as having been sent to the parties.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant judgment 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: **9 February 2021**

"the calculation day" is: **10 February 2021**

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

For and on Behalf of the Secretary of the Tribunals