



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A Marshall-Purves

**Respondent:** Contour Landscapes Limited

## JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

**Upon the Respondent failing to file an ET3 within the time limit imposed by rule 16 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013**

**AND Upon considering the information provided by the Claimant in his ET1**

**AND Upon considering the further information provided by letter dated 3 March 2021**

1. The Claimant's claim for arrears of pay brought either under Part II of the Employment Rights Act 1996 or the same claim brought under the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 is well founded.
2. The Respondent is ordered to pay the Claimant the sum of **£494.87** in wages calculated as 41 hours at £12.07 per hour.
3. The Claimant's claim for payment in lieu of annual leave brought under Regulations 14 and 30 of the Working Time Regulations 1998 succeeds. The Claimant is entitled to a payment of £1050.09 calculated as being 87 hours holiday accrued but untaken at an hourly rate of £12.07.
4. The Respondent is ordered to pay the Claimant the further sum of **£1050.09** in respect accrued but untaken annual leave.
5. For the avoidance of doubt the total sum due to the Claimant from the Respondent is **£1,544.96**. The said sum is calculated gross of tax and national insurance and the Respondent shall satisfy this order by making payment of the said sum less any deductions of tax and national insurance required by law.
6. The Employment Tribunal has no jurisdiction to make any award for mental anguish.

7. The hearing listed for 19 May 2021 is vacated.

Employment Judge John Crosfill  
Date: **24 March 2021**