



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs Sarjo Joof

**First**

**Respondent:** Coelho's Picados & Skewer House Limited (in Voluntary Liquidation)

**Second**

**Respondent:** Os Camacheiros Limited

**Heard at:** Croydon (by CVP)

**On:** 13 September 2024

**Before:** Employment Judge Lumby

**REPRESENTATION:**

**Claimant:** In person

**First Respondent:** did not attend

**Second Respondent:** did not attend

## JUDGMENT

The judgment of the Tribunal is as follows:

### **Second Respondent**

1. All claims against the second respondent are dismissed.

### **Employment Status**

2. The claimant was an employee of the first respondent at the relevant time.

### **Holiday Pay**

3. The complaint in respect of holiday pay is well-founded. The first respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.

4. The first respondent shall pay the claimant **£513.00**. The claimant is responsible for paying any tax or National Insurance.

### **Failure to provide a written statement of employment particulars**

5. When the proceedings were begun the first respondent was in breach of its duty to provide the claimant with a written statement of employment particulars. There are no exceptional circumstances that make an award of an amount equal to two weeks' gross pay unjust or inequitable. It is not just and equitable to make an award of an amount equal to four weeks' gross pay. In accordance with section 38 Employment Act 2002 the first respondent shall therefore pay the claimant **£422.00**.

**Employment Judge Lumby  
13 September 2024**

Judgment sent to the parties on  
17 September 2024

### **Note**

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

### **Public access to employment tribunal decisions**

Judgments (apart from judgments under rule 52) and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.